



INDEPENDENT

35p
Republic of Ireland 45p

FRIDAY 27 OCTOBER 1995

2,816

IN SECTION TWO

Cabinet backs down on violence Bill

DONALD MACINTYRE
Political Editor

Lord Mackay, the Lord Chancellor, was yesterday forced by Tory party pressure to back down on a bill extending the same statutory rights of protection against domestic violence to cohabitants as married couples.

The concession to the Conservative right wing cast doubt over the Lord Chancellor's chance of securing the passage of a separate bill on divorce-law reform, despite a Cabinet decision yesterday to include it in the Queen's Speech.

As the Government cancelled Monday's planned third reading of the Family Homes and Domestic Violence Bill, Lord Mackay agreed to reconsider the measure and is expected to make changes, or shelve it altogether.

The Lord Chancellor told Cabinet colleagues he would "reflect" on amendments proposed by a deputation of Tory MPs yesterday, which stressed the primacy of marriage over other forms of cohabitation.

The amendments seek to delete clauses that would give any woman living with a man the same right as wives to secure the eviction of their partners and occupation of the home.

While Lord Mackay intends to incorporate the amendments and still push through a bill, he may face Labour opposition if he changes the bill as his right-wing critics want.

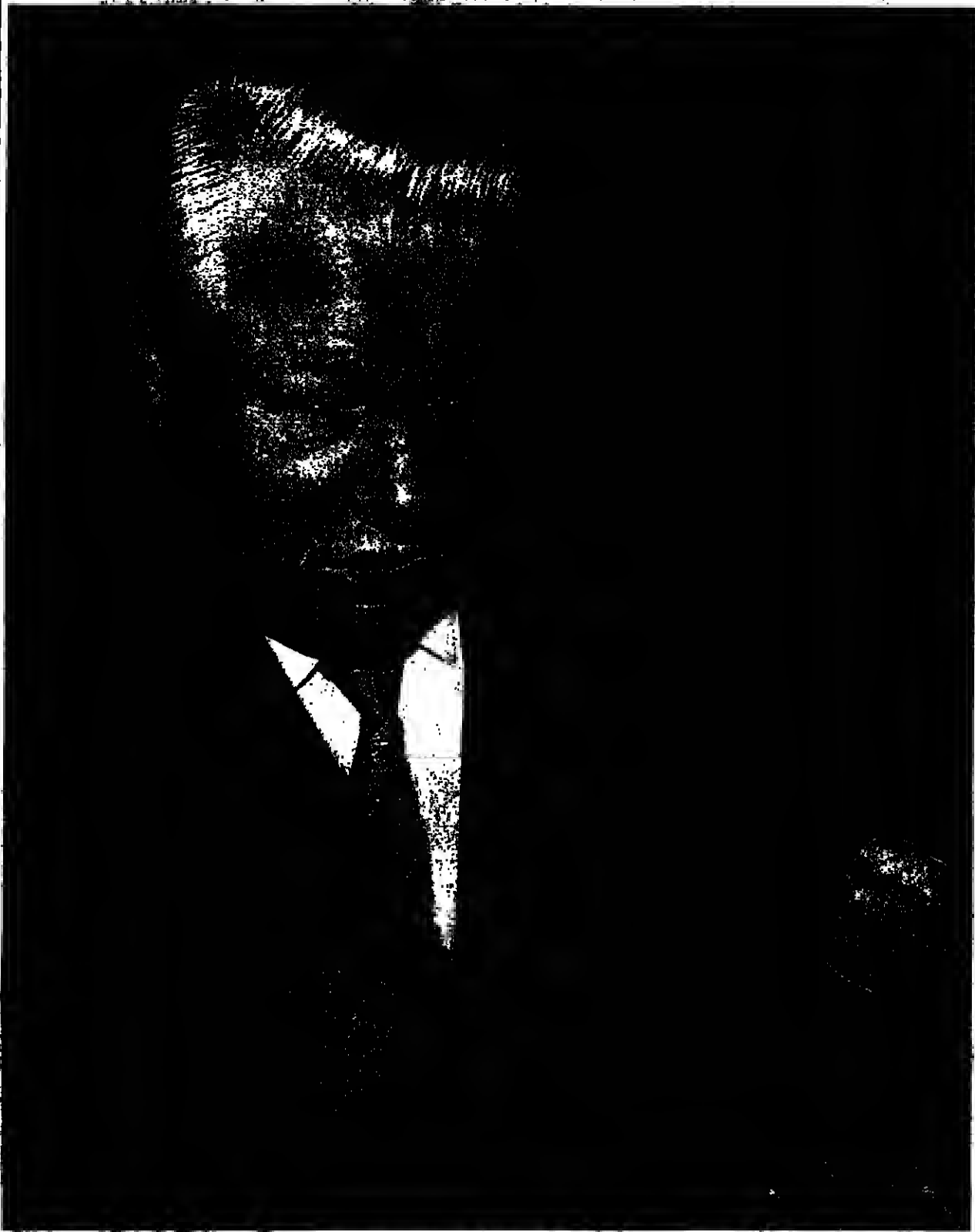
The bill has been aborted by a group of Tories at a late stage of a "fast-track process", intended for non-contentious measures. Paul Boateng, Labour's legal affairs spokesman, said it was open to question whether the Government could "get through even the most moderate measures of reform" in the face of a right-wing extremist rump.

Although the Cabinet had approved, without discussion, yesterday the planned divorce reform bill, which would end the concept of fault, introduce a system of mediation and provide for a 12-month cooling-off period, a lobby of Tory MPs, including John Redwood and John Patten, plans to oppose the measure.

There is still ministerial pressure behind the scenes on Lord Mackay to withdraw the divorce bill. But it is almost certain to be put through the Commons on a free vote if it survives. Mr Boateng said Labour supported the measure but that its support was not "unconditional".

First victory, page 3

Russian leader 'still in charge' but political future now in doubt



Fighting talk, Boris Yeltsin, returning from the United Nations in New York, displays the robust style that he usually adopts when confronted by problems such as members of the press.

Heart scare puts Yeltsin on the brink

PHIL REEVES
Moscow

The political future of Boris Yeltsin was hanging in the balance last night after the 64-year-old Russian President was rushed by helicopter from his country home to a Moscow hospital following another heart attack.

Although said to be mild, it was his second attack in less than four months and casts doubt over whether he will be physically fit enough to run for a second term in the Kremlin in next June's presidential elections, should he decide to do so.

Aides for the president, whose health has deteriorated markedly during his four and a half years in office, emphasised that he remained at the helm. But his condition was sufficiently serious for his staff to postpone his trip to China early next month.

The Kremlin is awaiting a final diagnosis on Mr Yeltsin's illness, expected later today, before deciding whether he will still host next Tuesday's one-day summit in Moscow with the presidents of Bosnia, Serbia and Croatia. One top official said there was "not much cause for great optimism" that he would return to work in the next few days.

Last night Mr Yeltsin's staff blamed his illness on the stress of this week's summit in New York, where Mr Yeltsin appeared in high spirits, laughing and back-slapping with President Bill Clinton, but made little headway with Russia's

political problems - particularly the threatened expansion of Nato. His affliction was "linked to the intellectual, moral and physical stresses" of the trip, said Viktor Ilyushin, a member of the Kremlin inner circle.

In fact, Mr Yeltsin has been under pressure on other fronts for months. He and his allies face a disgruntled and disillusioned electorate which is widely expected to exact revenge in the December's parliamentary elections. His government has been split by squabbles, and torn asunder by Russia's disastrous war in Chechnya, which grinds on despite the signing of a peace accord in July.

Last night the Kremlin went to great lengths to stress its view that Mr Yeltsin was out in any danger. "There is no question of replacing Yeltsin," said a Kremlin spokesman, Igor Ignotyev. "The president is in

charge. There is no indication that he cannot carry out his duties."

Hours after Mr Yeltsin was rushed to hospital, the US had not received any official word on his condition. While asserting that American diplomats in Moscow were "in touch with their contacts", John Dinger, a State Department spokesman, said: "We do not have any further details at this time... We don't have any further official word to give you on President Yeltsin's condition."

He added, "Obviously, we're concerned about President Yeltsin's health and we wish him a speedy recovery."

The lack of official communication between the two governments on the latest health emergency to befall Mr Yeltsin contrasted with the friendship displayed after he and Mr Clinton met on Monday. Mr Dinger, however, virtually ruled out the possibility that US-led Bosnia peace talks set to begin next Wednesday at Wright-Patterson Air Force Base in Dayton, Ohio, would be postponed because of Mr Yeltsin's illness.

Even if it turns out to be a minor bout of heart trouble, it will further damage Mr Yeltsin's reelection prospects. Although he has yet to confirm that he plans to run, he has been behaving increasingly like a candidate - so much so that he presented President Clinton with two ice hockey shirts bearing the names "Clinton" and "Yeltsin". On the back, writ large, was the number "96". Comeback in tatters, page 13

Traffic wardens 'spies' for the police

JASON BENNETT
Crime Correspondent

Police chiefs are considering using traffic wardens as their "eyes and ears" in the fight against crime.

They believe that the 4,691 wardens in England and Wales could become their latest weapon against criminals by radiating in any suspicious or illegal activities they spot while out walking the streets.

An unpublished report by the Association of Chief Police Officers' patrol group concludes that there is "some scope" for greater use of wardens who would free up beat constables.

The proposal is part of a larger study by ACPO's Patrol Project Working Group, which was accepted as forces' policy at a council meeting of chief constables yesterday.

According to the study, "traffic wardens provide some of the features of police patrol which are valued by the public". The 76-page report, which confirms earlier articles in the

Independent, also reveals that the police will now support the "hiring out" of extra officers to local authorities, hospital trusts and shopping malls.

If local authorities refuse to hire officers, the police will reluctantly help oversee the training and supervision of council-employed private security guards. However, they have ruled out working with lone private security firms.

In addition, they will protect their image and take legal action if necessary to prevent lo-

cal authority or private security guards using the titles "Police" or "Force", or copying their uniforms or livery on patrol cars. Chief constables have also rejected any proposals to have "two tier" policing with the creation of lower paid beat constables.

The confidential report concludes: "The demand for police patrol exceeds the present capacity of the service to supply it... Therefore, more radical options need to be considered." Supt George Hannah, who

helped draw up the report, said: "There's the possibility of them being extra eyes and ears for the police, especially as a lot have radios and could quickly report any incidents. These are things that need to be explored, but we want to ensure they don't become a two tier police force by the back door."

A spokeswoman for the public sector union, UNISON, also said: "We would not want to put any members at risk by turning them into quasi police officers."

Touch me, feel me...the new language of the office

BARRIE CLEMENT

After years of "hands off" political correctness in the workplace it is suddenly permissible - indeed desirable - to touch colleagues at work.

The Institute of Personnel Development will be told in its annual conference in Harrogate today that a bit of human contact is the way to clinch a busi-

ness deal or impress the boss. "The language of touch is becoming a corporate language, an effort in body language, says in a paper for the conference that it is perfectly all right to brush your hand against another person's arm or leg. But he warns that anything more than three seconds may be considered excessive and could be misinterpreted. Also, hands should wander no

further than the point of the elbow which is a neutral area.

The crucial tactile experience of the handshake is also scrutinised. In England it is usual when greeting someone to pump the hand three times. In Germany only twice and in the USA five times. "Always give the same amount of pressure as you receive. For women, who usually have much smaller hands

than men, I suggest that they spread their fingers apart when shaking hands with men. This avoids their hand being 'swallowed up' in a male grip and the feeling of being dominated." Mr Pease suggests that in a formal interview, sales meeting or even a social gathering, one has less than four minutes to make an impression. What one says accounts for only 7 to 10

per cent of the impression one makes. How one says it accounts for 20 to 30 per cent.

There are three basic rules for people like the British who are less tactile than some other nations. One should nod one's head as one talks. Studies have shown that this will gain two to four times more co-operation, according to Mr Pease. The level of one's eyes should

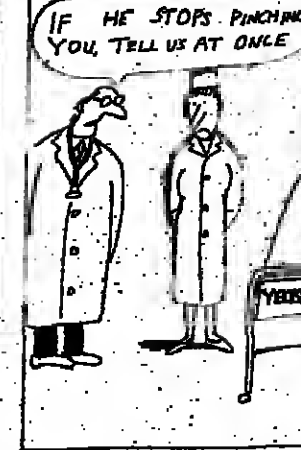
be kept below that of the other person. This will avoid an over-aggressive posture.

As for elbow touching, subtlety should be the watch word so that touching is barely noticed by the other person. However, more scrupulous students of English etiquette might be moved to look down their noses at the advice from Mr Pease. He is an Australian.

Alert Pills still on offer
A leading family planning centre says that it is continuing to offer women aged over 30 the brands of oral contraceptive Pill which were the subject of a Government alert last week. They will be available in "fully informed" women. Page 2

Holiday bookings slump
Holiday companies yesterday revealed that they have "suffered" a further slump in bookings that could force them to drastically reduce capacity next year and drive smaller operators out of business. The potential crisis follows in-chest figures which show that 1996 bookings are down by more than 30 per cent on this year. Page 24

King versus Mafia
The boxing promoter Don King, who is on trial for allegedly defrauding Lloyds of London out of \$350,000, was locked in battle in a New York courtroom with a former colleague called Mr Mafia. Page 17



News analysis: Will Canada blow apart? Page 21
Polly Toynbee on the agonising dilemmas of Jaymee Bowen's treatment. Page 23
Germaine Greer and the celibate student. Page 23
Wilkes's Diary: Is Norman Fowler heading for a political comeback? Page 21
Another View: Nicholas Baker in defence of the immigration "white list". Page 22
Leading Article: "The temporary shelving of the Family Homes and Domestic Violence Bill is an ill omen." Page 22
Weather: Scotland will be bright with showers and a westerly wind. Most of England will be sunny with rain periods though the south will only brighten up later. Section Two, page 37

£1.2bn offer for Littlewoods
The board committee of Littlewoods, the retail and football pools company, met yesterday to discuss the £1.2bn indicative offer for the company made by its former chief executive, Barry Dale. Page 24

Fears on City status
Britain fears that London's status as a financial centre could be undermined by plans now being discussed in Frankfurt for European Monetary Union. Page 15

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2
news

Stricken teenagers raise BSE fears

LIZ HUNT
Health Editor

Two British teenagers have been confirmed as victims of Creutzfeldt-Jakob Disease – the so-called human form of "mad cow disease" – heightening fears that it is possible for the infection to be transmitted from cattle to humans.

CJD, an incurable degenerative brain disease, is extremely rare under the age of 30, with only four other cases reported in the world to date.

The 16-year-old girl, who is believed to be still alive, is the youngest person to contract the disease in the UK. She is known to have eaten a meat dish containing cow's brain in Cyprus in 1989, although there have been no reported cases of bovine spongiform encephalopathy (BSE) on the island. She also occasionally ate beefburgers and corned beef.

The 18-year-old boy, who died earlier this year, had visited his aunt's cattle farm annually for eight years and drank

unpasteurised milk. However, no cases of BSE have been reported in the herd.

Neither of the teenagers had any of the risk factors for CJD. They had not received growth hormone derived from human brain tissue, undergone transplants or tissue grafts, or brain surgery, according to reports in tomorrow's issue of the *Lancet*.

Professor John Collinge, of St Mary's Hospital, London, says the girl, a Turkish-Cypriot Muslim, developed slurred speech, poor balance, clumsiness, and

a frequent need to urinate in August 1994. Within a month, her memory had worsened, she could no longer do arithmetic, had difficulty in speaking and was unsteady on her feet. A brain biopsy in August 1995 confirmed the spongy changes characteristic of CJD.

The boy had a six-month history of memory loss and deteriorating school performance. His condition deteriorated with hallucinations, disorientation, speaking problems, unsteadiness, and he died nine to 12

months after the onset of symptoms. Analysis of his brain tissue confirmed CJD.

Professor Collinge, who was involved in both cases, says there was no evidence so far that any human case of CJD is related to exposure to BSE but adds: "The extremely young age of onset, and absence of known risk factors, inevitably prompts discussion of a possible link between [the] illness and the recent epidemic of BSE."

He points out that the four cases of CJD in teenagers – from the USA (1978), France (1982), Canada (1988), and Poland (1991) – occurred in countries where BSE had not been reported when the cases were diagnosed. However, he concludes that, although the two cases may be "coincidental" and of no particular significance, "they re-emphasise the need for continued epidemiological surveillance of CJD".

The Department of Health confirmed earlier this week that it is investigating a possible fourth case of CJD in a dairy farmer with a BSE-infected herd. Scientists agree that the chance of four cases occurring among dairy farmers is statistically low, but they point out that there has been no increase in CJD among vets or abattoir workers who would also be expected to run an increased risk if BSE had jumped the species barrier. A Government report earlier this month confirmed that the number of CJD cases had doubled between 1985 and 1994, but this may be the result of increased surveillance.

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Police rank and file say Met sexist

HEATHER MILLS
Home Affairs Correspondent

The head of the Metropolitan Police was yesterday accused by his rank and file of ignoring widespread sex discrimination and harassment of the force's 6,000 women.

Mike Bennett, chairman of the capital's police federation, made the attack at the organisation's annual conference. His remarks are a major embarrassment to Sir Paul Condon, the Commissioner, who has been keen to recruit more women to the ranks.

Mr Bennett's comments come as growing numbers of

told by investigating officers: "Police do not do that."

She was accused of lying, of being frustrated and asked if she was a lesbian. Her family were also apparently asked if she was gay and her doctor was asked if she had psychological problems. The investigation was not carried out by officers trained in sexual investigation techniques.

In another case, an officer returning to work after having a child had her agreed and regular shift pattern changed four times in quick succession – making child care arrangements increasingly difficult. When she protested, she was asked to make up mind: "Do you want to be a police officer or a mother?"

A third woman claims she was the repeated target of harassment and intimidation by her inspector, which made her ill. The force has refused to move him while the case is being investigated but, in the meantime, has given her a letter promising to keep him at a distance.

One woman officer said: "Every station has its own culture. The point is that at some stations such behaviour is not tolerated and stamped on immediately. Unfortunately, that is the exception rather than the rule."

Scotland Yard could not provide any figures. Last night, Sir Paul told the federation meeting that any form of discrimination or harassment was unacceptable.

Earlier, Mr Bennett said: "Commissioner, you cannot ignore any longer what is happening. You really must put out a stronger message to management and the force that discrimination and harassment will not be tolerated. You must be seen to be doing something about it."



Attack: Mike Bennett and Sir Paul Condon (below)



women officers are resorting to industrial tribunals as they feel their complaints are neither being taken seriously or dealt with effectively. Cases outstanding range from allegations of serious sexual assault by colleagues to a refusal to accept a WPC's transfer because she was a mother.

He called on Sir Paul to set up a special unit to advise and deal with the problem – "along the lines of an in-house victim support system".

Yesterday, the federation said that there were 55 cases pending before tribunals and that Scotland Yard had settled many more claims. According to the federation, one woman who alleges she was sexually attacked by a male colleague was

He highlighted one example where managers walked out of a training programme on discrimination and harassment. He said he had spoken to many women who had been on the receiving end of comments questioning their ability to work and be mothers, and he questioned why women in the force were still having to deal with harassment. He said: "We keep hearing from our female colleagues that they can cope, that they don't mind... but I have to ask, why should they cope?"

"I regret having to include this in the speech, but I believe it is both necessary and unavoidable if we are to retain the confidence of all those we represent," he added.



It's a dog's life: Animal Aid protesters outside the Ministry of Defence over the use of animals in warfare research. Photograph: Geraint Lewis

Surrey council in fraud office inquiry

DAVID HELLIER

The Serious Fraud Office said yesterday it was involved in investigating allegations of corruption at Surrey County Council.

The investigation, being carried out by the SFO in connection with the Surrey police, concerns contracts awarded to Surrey Operational Services, a company spun off from the council to bid for contracts in

competition with the private sector.

The SFO declined to give details of the investigation, although sources familiar with it said the police were looking at allegations of conspiracy to defraud, corruption and theft. The sums involved are believed to be in excess of £1m.

Surrey police said yesterday they had prepared a report which was passed to the Crown Prosecution Service earlier this

year. The CPS forwarded the papers to the SFO for further investigation.

Last November, two senior employees of Surrey Operational Services, working for the highways contracting department, were suspended amid allegations of financial irregularities. One of them has since retired and the other has left by mutual consent.

The council said yesterday that its own investigation into

the allegations could not be completed until the outcome of the criminal investigation.

The allegations are believed to involve overpricing by Surrey Operational Services on some contracts and underpricing for others. The company has won many of the highway maintenance and school catering contracts under competitive tendering. Since the allegations, members of the council say that auditing procedures

have been tightened and a new management team has been put in place.

The council is hung, with the Conservatives holding 34 seats, the Liberal Democrats 29, Labour eight and Independents five.

This is the first time the SFO has become publicly involved in a suspected fraud of local government. Normally it is brought in to investigate frauds in the private sector.

Clinic offers health-alert Pill

LIZ HUNT
Health Editor

A leading family planning centre says it is continuing to offer women aged over 30 the brands of oral contraceptive Pill that were the subject of a Government alert last week.

Professor John Guillebaud, medical director of the Margaret Pyke Family Planning Centre in London, says the pills will be available to "fully informed" women, with risk factors for arterial blood disease which increases their chance of heart attack and stroke.

Writing in the *British Medical Journal*, he says that new studies which triggered the alert confirm the "amazing safety of all modern formulations of the combined pill with regard to... venous thromboembolism [clots in the veins]".

The danger, even with the "risky" pills is half that of a clot in pregnancy. Other data shows the pills protect against heart attack and stroke.

In the same issue, Professor Walter Spitzer, lead investigator of one of the studies, accused the Government of "misusing and misinterpreting" unpublished data. The Committee on Safety of Medicines last

week advised 1.5 million women taking seven brands of the combined Pill, containing the synthetic progestogen hormones, desogestrel or gestodene, to change brands. Three independent studies have shown that they have twice the risk of blood clots as brands containing different progestogens.

Professor Guillebaud agrees with the CSM, however, that overweight women, those with varicose veins, a family history of blood clots, and those who are immobile should not be given Pills containing desogestrel or gestodene. Women under 30 will also be offered other brands.

Mother launches poster campaign against son

PETER VICTOR

A mother has launched a poster campaign warning people not to fall for a charity brand used by her 13 year old son to feed his drug habit.

The woman acted after discovering the boy had been netting up to £70 a day through fake charity sponsorship forms. She is convinced he uses the cash for drugs.

The posters, which have been put up in the family's home town of Pontefract, West Yorkshire, bear a photograph of the

boy with a warning to the public. "This child is going around raising sponsorship money without any intention of handing the money over to any of the charities." The youth has been arrested 14 times in three months, mostly as a result of his mother reporting him.

The divorced 35-year-old mother-of-two says he has stolen from her family and she is determined to stop his life of crime. "I've tried everything possible. He's a cunning people. out of their hard-earned money and I want to stop it."

Archbishop pleads for return to Christian public morality

ANDREW BROWN
Religious Affairs Correspondent

The Archbishop of Canterbury, Dr George Carey, has made his strongest plea yet for public morality to be based on Christian values. In a speech in Rochdale, Dr Carey said that "a better society will emphasise the goodness of faithful, stable, family relationships."

"Families are by far the most important seedbed of strong

moral values which nourish us in our wider lives... Family love is not about stifling growth. It is not about stamping out stereotypes on our children or being negative or repressive", said Dr Carey, two of whose four children have divorced.

"There are few deprivations as severe as the absence of a loving family," he said.

"There is no source of pain and psychological damage more disastrous than a family which goes sour and ends in abuse, rejection

and hatred." He argued that Britain is a far more Christian society than statistics would suggest. "There are some six-and-a-half-million church members in the UK. I believe New Labour is pleased to have reached 350,000. If, by analogy with church attendance, we looked at the number of people who regularly go to political party meetings, what a tiny group we should find!"

"I do not believe it is anomalous that Christianity is built into our key national symbols and institutions, nor that so many people mind deeply about what the churches say and do," Dr Carey said.

Strengthened by this contemplation of the churches as the largest voluntary organisations in the country, Dr Carey argued for three changes to improve society. The first was to make explicit the shared moral values which ought to underlie legislation: "One of the conventional assumptions which

weakens our society is the view that what is good and right is just a matter of individual opinion... Since morality becomes a matter of individual opinion, the views of traditional sources of authority become irrelevant and people no longer recognise objective or absolute standards of right and wrong."

"The danger comes when... people become indifferent to the very idea of shared values at all. We are not at that point. But we have seen enough of the

precipice to start moving determinedly in the other direction."

Dr Carey warned against the "false gods" of "realism" or "social competitiveness" that might lead to an abandonment of the underclass: "None of us, whatever our political affiliation, can be sanguine about the widening gap between rich and poor. The Church is as committed as ever to its prophetic witness on behalf of the most disadvantaged and hopeless people in our cities."



Dr Carey: 'Family love'

IN BRIEF

Asda staff to ballot over Sunday pay

Supermarket giant Asda could be hit by industrial action in the run-up to Christmas over its decision to scrap double-time payments for Sunday working, a union warned yesterday.

A spokesman for Asda said: "Asda employees currently working on a Sunday will continue to receive their existing premium pay rate. From 1 November, colleagues who choose to work regularly on a Sunday will receive time-and-a-half." Shop stewards for the GMB general union representing 30,000 Asda workers agreed to ballot their members over the proposals.

Guinness appeal

The Court of Appeal reserved judgment on the renewed appeal by former Guinness chairman Ernest Saunders, Heron International tycoon Gerald Ronson, stockbroker Anthony Parnes and consultant Jack Lyons, who are challenging their conviction in 1990 of taking part in an illegal share-support operation to boost the value of shares during Guinness's successful takeover battle for the Distillers group.

DeFreitas libel

West-Indian born England cricketer Phillip DeFreitas accepted substantial undisclosed High Court libel damages over an article in the July issue of *Wisden Cricket Monthly* suggesting that England players of overseas origin would lack real commitment to the England team and would be motivated solely by a desire for personal advancement and achievement.

Rape charges

A man accused of three rapes since 1993 was remanded in custody until next Thursday by magistrates in Maidenhead, Berkshire. Dylan Rodwell, 23, of Slough, also faces charges of two attempted rapes, two indecent assaults and four assaults.

Car workers' unrest

Unions at Vauxhall, which has offered its 9,000 workers 3.5 per cent instead of a "substantial rise", will today inform the company of their intention to ballot workers on industrial action. Union representatives at Ford are planning their next move after an offer of only 3 per cent – they wanted 10 per cent.

Zoo ban hearing

A tribunal opened in Ashford, Kent, to hear the appeal by John Aspinall, owner of Howlets Wild Animal Park, against a ban by Canterbury City Council on keepers entering tiger cages, imposed after the death last November of Trevor Smith, 32, who was mauled by a Siberian tiger.

Murder inquiry

Police launched a murder inquiry after forensic examination showed that an accelerator had been used to start a fire in a house in Moss Pit, Stafford, where a woman's body was found after an explosion.

Michael Thornton

In his diary on 12 October 1995 John Walsh stated that author Michael Thornton had written a letter to *Gay Times* complaining that he was not referred to in Philip Hoare's recent biography of Noel Coward despite being widely known to be Coward's last lover.

This letter to *Gay Times* was not written by Mr Thornton. He had no wish to be referred to in Mr Hoare's biography nor has he claimed to be Noel Coward's last lover. We apologise to Mr Thornton for our error.

THE INDEPENDENT ABROAD

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Someone suggested calling it
Parson's Nose but that's already the
back end of a chicken.



THE SERIOUS BEER WITH THE SILLY NAME.

مركز الامم

Mackay has first victory but Bill to face protest

PATRICIA WYNN DAVIES
Political Correspondent

The Lord Chancellor yesterday succeeded in his campaign to have a package of measures to reform divorce law included in the Queen's Speech.

Contrary to speculation and he wishes of a vociferous minority of Tory MPs and Catholics, not a cross word was exchanged around the Cabinet table when the inclusion of the measure was approved. Nor was there discussion about the Bill, which has been on the list of legislation for the next parliamentary session for some time. But the fact that the Government is considering giving MPs a free vote is a clear sign, as one Whitehall source conceded yesterday, that Lord Mackay is "not out of the wood yet" as protests mount.

The most radical package of changes for a quarter of a century would see the end of the "quickie" divorce for unreasonable behaviour or adultery, bring in "no-fault" divorce after a minimum 12-month period of reflection, and a new emphasis on mediation of disputes to replace court battles, with limited help from legal aid.

Britain has the highest divorce rate in Europe - almost 155,000 divorces were granted in 1994. John Campion, Family Law Action Chairman, who is also co-ordinator of the pro-marriage Cheltenham Group, said: "For a Lord Chancellor who claims to be a Christian and to speak for the party of the family to preside over the effective destruction of legal marriage is sheer hypocrisy."

Lady Olga Maitland, Conservative MP for Sutton and Cheam, said: "If you make it too easy it looks like a care-hire purchase, that you simply return the car when you have had enough or you return the spouse when you have had enough."

The former Cabinet ministers John Patten, a Catholic, and John Redwood, an Anglican, are among the

key opponents of the reform. Mr Patten wants the Bill buried. Mr Redwood has suggested the "better ideas", such as a longer delay, could be enacted without abjuring the principle of fault.

Lord Mackay is one of the firmest upholders of the institution of marriage, takes a recently-acquired responsibility for marriage guidance very seriously, and has pledged to introduce the changes after a long pilot period to avoid a fiasco like that surrounding the Child Support Agency.

But perhaps in an attempt to lower the temperature, he has said the divorce Bill could "come a cropper". Although the parliamentary arithmetic on a free vote would appear to come down on his side, with Labour supporting the broad principles, he could face protracted struggles over the details. Opposition has been mounting against the idea of a compulsory diagnostic interview to get information on mediation, marriage guidance and the law, amid warnings that many people do not believe their disagreements can be resolved amicably.

There are also concerns about the amount of help that would be available through legal aid, and fears that less-well off wives will lose protection.

Lord Mackay has consistently resisted demands for the package to be dropped, arguing in this spring's White Paper that current law permitted "easy, unilateral divorce on demand".

"He believes greater use of mediation would reduce bitterness and the money spent on lawyers. It would also force couples to consider the consequences of their actions and face up to their responsibilities. The result would be a less confrontational 'system', which would be less damaging to children and which might even prompt some couples to try to stay together."

Pros and cons of divorce reform

Proposed changes	Arguments in favour	Arguments against
Divorce "harder". Often granted in as little as 6 months now to 75% of couples without much second thought. Acrimonious allegations harm children. Can be used as effective "divorce on demand".	Divorce "easier". Removal of fault would mean "contract for life" would be robbed of special significance and make marriage seem to be a probationary matter.	Some critics say period should be 2 years, after which divorce by consent is already possible.
New concept of single ground of irretrievable breakdown, after minimum 12 month "cooling off" period.	Period of reflection must be used to consider consequences of divorce and face continuing family responsibilities. Divorce is permanent. If arranged by children and mothers, it could be a relief. Divorce is a relief for many couples.	Some couples won't want mediation. Some couples won't want to pay for lawyers and/or extensive mediation. Poorer people will suffer from not being able to afford these aids.
People seeking divorce must attend mediation. Divorce is a last resort. Divorce is a last resort. Divorce is a last resort.	Mediation to help resolve disputes not seen as a last resort. Divorce is a last resort. Divorce is a last resort.	Some couples won't want mediation. Some couples won't want to pay for lawyers and/or extensive mediation. Poorer people will suffer from not being able to afford these aids.
Legal aid to help poorer couples. Divorce is a last resort. Divorce is a last resort. Divorce is a last resort.	Legal aid to help poorer couples. Divorce is a last resort. Divorce is a last resort. Divorce is a last resort.	Some couples won't want mediation. Some couples won't want to pay for lawyers and/or extensive mediation. Poorer people will suffer from not being able to afford these aids.

Changing times, changing values

JOHN MCKIE

Nowadays it tends to be between a couple and their two solicitors. But prior to 1857, it required an Act of Parliament to be obtained before a marriage was dissolved. Of course, Henry VIII had to usurp the Pope to obtain his first divorce.

Since his days, reforming the divorce laws has become slightly easier and, since 1950, more frequent. In Henry VIII's time, a divorce was only available to the rich and the influential, although remarriage was popular.

It was 1857 which saw the first major reform of the divorce laws. In that year, a divorce court was introduced with powers to deal with all marriage rifts. The next major reform came in 1950 with the Matrimonial Causes Act, which decreed that there should be no petition for divorce during the first three years of marriage unless a High Court Judge ruled "exceptional hardship".

The grounds for divorce were defined in terms of adultery, desertion, and cruelty. In 1969, an attempt was made to abolish the idea there was a guilty party in every divorce case, and the notion of an "irretrievable breakdown" was introduced. A 1984 Act enabled couples to petition for divorce after only one year of marriage.

Currently four out of ten British marriages end in divorce.

MPs stall bid to help unmarried partners

PATRICIA WYNN DAVIES

Eight Tory backbenchers yesterday forced the Lord Chancellor to put on ice a Bill to ensure that unmarried victims of domestic violence have similar rights to spouses.

Like the proposed divorce Bill to be included in the Queen's Speech, the measure had been the subject of detailed work by the independent non-party Law Commission. The Conservative-dominated Home Affairs Select Committee had supported the commission's

proposals. The retreat by Lord Mackay, said to be temporary, came after the eight backbenchers discovered the Bill had been proceeding through the House under the "fast-track" procedure used for non-controversial legislation.

The eight - Edward Leigh, the former Cabinet minister John MacGregor, Patrick Nichols, Roger Gale, Ann Winterton, Julian Brazier, John Butterfill and Lady Olga Maitland - said the Bill would

undermine the status of marriage. Julian Brazier served on the committee that has been giving detailed scrutiny to the Bill. Mr Gale admitted yesterday that the critics were to blame for not seeing the flaws earlier.

The Bill, which gives unmarried people the right to expel partners from a shared home - in some cases even if it was owned by the offending partner, has also been the subject of a critical press campaign.

After meeting Lord Mackay yesterday, the MPs claimed victory in their campaign to secure

changes - three amendments have been tabled. The Lord Chancellor's Department said, however, that it had only been delayed for a week.

Mr Leigh and Mr Butterfill said yesterday that the Bill created substantial new rights for cohabitants, a claim firmly denied by the department. Spokesmen said the main new change was a power to transfer a council tenancy from one partner to the other in cases where a victim of violence needed to stay in the home with the children. A right to allow a co-

habitee and any children to remain in a home wholly owned by the partner would also be limited to six months.

The Lord Chancellor's Department has been at pains to counter claims that girlfriends could simply take over their partner's flat or house, pointing out that domestic violence would have to be proved in a court of law before a man could be forced to leave. "This Bill is about violence," said one exasperated spokesman. The Bill also creates no permanent change of legal rights in the for-

mer shared home. But the MPs insist that by extending the rights of unmarried women to stay in the home the Bill could be a disincentive to marriage. Mr Gale said: "I think the Bill as it stands is dead in the water. I hope it will now be brought back in a form in which we can support it."

The Law Society said: "The worries expressed over the rights of cohabitants are particularly misleading as they have had the right to be protected from domestic violence since the late 1970s."

Mediation eased the pain



'We are very lucky': Naomi, left, and Chris are thankful they agreed to mediation



Photograph: Howard Barlow

CLARE GARNER

When Chris and Naomi Schrecker decided to divorce, they felt they had lost everything. Their seven-year marriage was dead and their young sons were caught in the crossfire. Only a visit to their local Family Mediation Service restored their faith in the future.

Mrs Schrecker, 40, was suspicious of any outside interference in her marriage break-up. Her husband had moved out and there was no question of a reconciliation. Reluctantly, she agreed to go with him to the centre in Bury, Lancashire, and four years on, both partners are thankful they did so.

"We couldn't make decisions together or discuss anything. We couldn't communicate and it was frightening for the children," said Mrs Schrecker, a school teacher.

"I was very wary of going to mediation. I was on my guard and very defensive. I felt emotionally disabled when I got into

that room and worried that they would get me to agree to all sorts of things that would prolong the pain."

Instead, like her husband, she found that the counsellors took the heat out of the situation. They attended a joint session once a month and slowly it became possible for them to make plans in the short term. Arrangements like Christmas and the holidays, as well as more mundane day-to-day matters, were always discussed within the confines of the centre.

"It made all the difference in the world," said Mrs Schrecker. "They were very patient and dealt with us very tactfully. Slowly our relationship settled down to what it is now. It's quite formal but we do support each other, particularly professionally. I now have a productive, happy life and hope that in the future we can bring up our children in a way that brings the best out of both of us."

Mr Schrecker, 38, contacted the Family Mediation Service in 1991 because he was worried about the children.

"What I was looking for at that stage was a way of actually coming to some sort of practical agreement over the children being able to see both of us in a reasonably confrontation-free atmosphere," he said.

At the time, his two sons, now aged four and 11, were living with their mother in the family home in Prestwich, Manchester, and he was visiting them for a brief, tense period each day.

"It was a difficult sort of arrangement. It was very stressful because a lot of feelings of anger and betrayal tended to manifest themselves at the times when we handed over the children," said Mr Schrecker, also a school teacher.

The Family Mediation Service, managed by the nationwide charity NCH Action for Children, enabled the couple to

air their disputes in a safe environment.

"The bitterness was moved to an arena where it was properly dealt with rather than being spontaneous outbreaks," said Mr Schrecker.

"The service helped each of us step by step to build a relationship with the children which allows for the other's presence."

Their divorce papers came through in June this year. The children now spend three days and two nights a week with their father and the rest of the time with their mother, a situation with which both parents are happy.

Under the terms of the Children's Act the courts do now allow, thank God, for parties to come to their own arrangements over children," said Mr Schrecker.

"Unfortunately, I believe the service exists only in certain parts of the country," he added. "We are very lucky to have had the service in the area."

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صكنا من الامل

Year of the Lottery: Company celebrates massively successful first 12 months and aims to consolidate by stressing benefits

Camelot planning charm offensive to disarm critics

REBECCA FOWLER

The National Lottery organiser Camelot is preparing to celebrate its first anniversary with an advertising campaign concentrating on good causes that have benefited.

As the lottery came under further attack this week, Camelot's directors were putting the finishing touches to a marketing onslaught designed to enhance public perception of the game and emphasise the benefits that it brings.

A Camelot subsidiary will launch a merchandising line of lottery products, including key-rings, cuff links, computer software and earrings, and a series of £2 scratch-cards will be specially launched for Christmas.

In its first year, the lottery will have generated £5bn in sales, of which Camelot is entitled to 1.65 per cent for costs and profit. In peak weeks, 30 million people are estimated to play.

The man behind the PR strategy is David Riggs, director of communications. "Within a few weeks of launching we had a 90 per cent unprompted recognition of the lottery logo," Mr Riggs said. "But it is a huge amount of work. Last month alone, there were 800 articles on the lottery, and I've done 350 television interviews and 500 radio interviews this year."

The advertising campaign kicked off with the motto "It could be you", created by Saatchi and Saatchi - vowing the 1 in 14 million chance of winning the jackpot in simple optimism. Three years of market research had shown that the public did not want advertisements telling them how to spend their money, and picturing them on tropical beaches.

They were also more interested in the weekly game than scratch-cards.

"What the public responded to was the idea that they could win, and the odds were not against them," Mr Riggs said. "Every time we considered the campaign we tested it against the words simple, easy and fun."

Camelot also leafleted 23 million households in the weeks leading up to the launch last November, outlining how to play. The response was phenomenal. The public spent £55,000 on tickets in the first 12 minutes.

Mr Riggs's marketing machinery consists of a PR team, made up of 10 employees who deal with factual inquiries on the lottery; an external PR company; and a public affairs team that handles the more awkward question, including Camelot's vast profits - estimated to be around £500,000 a week.

Tim Holley, chief executive of Camelot, was paid more than £330,000 last year, and all the directors received a one-off bonus salary. The bonuses, which will be repeated this year, were condemned as "astounding" by Labour MPs.

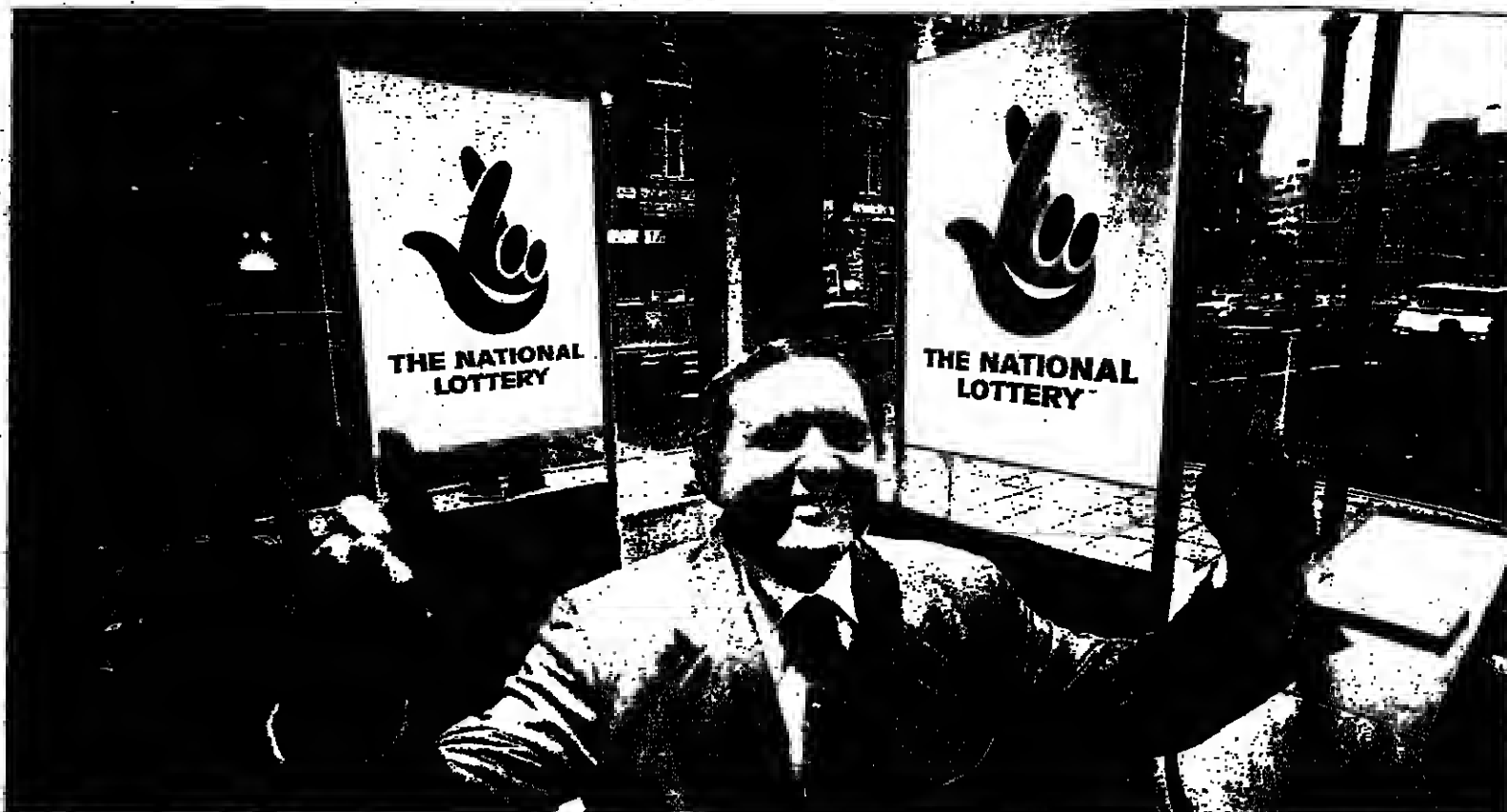
Mr Riggs faced a PR crisis in the opening weeks of the lottery: the quest to identify the first jackpot winners. Since the lottery was launched only 20 per cent of jackpot winners have agreed to go public, compared to 50 per cent in Ireland.

After weeks of pursuit, the lottery frenzy reached a plateau. The next onslaught came six months later with the launch of scratch-cards, and an ambush of criticism that they encouraged gambling. Although weekly sales have fallen from £44.4m to £25m, the nation is apparently hooked on the quick-fix

lottery. Camelot launched its television campaign - "Forget it all for an instant" - because they were targeting people who would make impulse buys.

The latest campaign will attempt to create a worthier image of the lottery. In a series of full-page advertisements in the national press, Camelot will focus on the community projects that have received money.

But the new schemes have already attracted further criticism. Jack Cunningham, Labour's National Heritage spokesman, attacked the idea of Christmas scratch-cards. "Low-income families may be tempted to gamble in desperation rather than spend their money on their families and children," he said.



Marketing force: David Riggs, Camelot's communications director - more than 800 television and radio interviews in a year Photograph: Brian Harris

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The Beatles

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George Harrison used to be so rude about the Beatles that his friends rarely brought up the subject. "As far as I'm concerned, there won't be a Beatles reunion as long as John Lennon remains dead," he said.



Ringo, John Lennon once said, is the one I worry about if there is no more Beatles. He was right. Ringo has had terrible years of bad behaviour and trauma. But now, at 55, he has got his old job back.

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news

Mother convicted of poisoning second child

LOUISE JURY

A mother already convicted of killing her four-year-old daughter by feeding her anti-depressant tablets was yesterday found guilty of a second poisoning charge.

A jury at Nottingham Crown Court convicted Celia Beckett, 34, of poisoning her daughter Debbie in addition to the poisoning and manslaughter of her eldest child Tracey. Beckett had admitted causing cruelty to Debbie.

As police suggested that the 34-year-old mother might be suffering from Munchausen Syndrome by Proxy, a condition where she might have harmed the child to draw attention to herself, she was granted bail while psychiatric reports were prepared for sentencing.

But the Honourable Mr Justice Garland said: "The fact that I am giving bail does not make any indication of the possible sentence. I think we are all aware that manslaughter of this nature is a very serious incident indeed."

During the four-week trial,

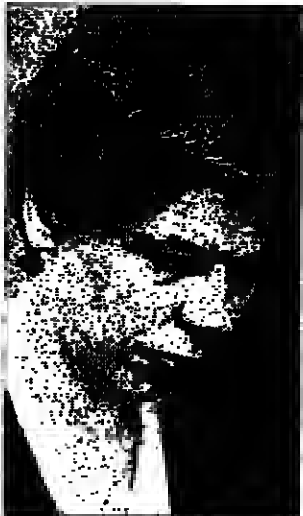
the prosecution accused agencies of a "wholesale failure" to protect Beckett's children — Tracey, Debbie, now aged six and in care, and a third daughter, Clare, who died aged seven in 1991. Nigel Rumfitt QC described the police investigation as "sloppy" and social workers "naïve".

Yesterday social services, North Nottinghamshire health authority and the police announced a full-scale inquiry into the case after admitting mistakes had been made.

Detective Superintendent Peter Coles said he would not use the word "sloppy", but added: "There were opportunities presented during the course of both Celia's life and the children's lives which called out for a holistic approach to be taken."

Stuart Brook, Nottinghamshire's director of social services, also acknowledged that there were lessons to be learnt.

Professor Olive Stevenson, a child protection expert, is to review whether procedures for agencies working together need to be improved further.



Celia Beckett: Admitted cruelty to daughter Debbie

An independent report last year into the case of Leanne White, a three-year-old battered to death by her mother and her lower despite warnings from relatives and a neighbour, blamed staff for fundamental errors of judgement and poor operating procedures.

Professor Stevenson's inquiry into the Beckett case is thought likely to blame errors of judgement rather than failures of practice as the family was well supported by social and health workers.

An additional factor is the unusual circumstances of the case as the deliberate poisoning of children is rare.

During the 1980s child protection measures focused on identifying physical and sexual abuse. But the case of the nurse Beverley Allitt highlighted the possibility of harm caused by more surreptitious means. Allitt, who suffered from Munchausen Syndrome, was jailed for life after killing four children in her hospital care.

Barbara Meek, of the health authority, said the Stevenson review would ask what should have been done differently and whether it would be done differently today.

Beckett, of Fentoo Close, Newark, Nottinghamshire, denied all charges except cruelty to Debbie, who is now living with foster parents under a new identity.



Lost innocents: Beckett's daughters Tracey (left), four, a victim of poisoning, and Clare, seven, who died in 1991

Host of warning signs overlooked

LOUISE JURY

The prosecution called it a "chilling catalogue of child abuse" with a "wholesale failure" of the authorities to investigate and intervene.

The story that unfolded in Nottingham Crown Court revealed a host of warning signs that gave the lie to Beckett's own description of them — "just a terrible coincidence".

Beckett spent much of her own childhood in care as her mother was mentally ill and was eventually sent to Rampton psychiatric hospital.

At 20, she became pregnant but gave up the baby, Angela, for adoption. A year later, in July 1982, she gave birth to Tracey and in December she and her boyfriend Tommy Butler were married. He described Beckett as a woman who lost her temper in vicious rows and vented her anger on their baby.

In one incident, Mr Butler said Tracey ended up in hospital after Beckett hit her. Police were called. After the child sustained an eye injury in early 1984, she was placed on the "at risk" register.

A few months later, Clare was born. For five months, she was a bright and normal baby. But in November 1984 she was taken to the Queen's Medical Centre, Nottingham, after she stopped breathing.

Clare spent the rest of her life in Caudwell House, Newark, a special home for severely ill children, before dying at the age of seven, blind and having suffered

Authorities failed to act as mother claimed coincidence

epilepsy, mental handicap and cerebral palsy. In September 1986, Tracey was also taken to hospital. Beckett claimed the child had taken 23 of her amitriptyline anti-depression tablets.

The day before Tracey was due to leave hospital, Beckett took an overdose but social workers gave the all-clear for the child to return home. By the end of the month she was dead.

A post-mortem examination gave cause of death as a form of bronchitis, although even at that stage a doctor argued that healthy four-year-old children did not die in such a way.

When Beckett gave birth to another daughter, Debbie, in February 1989, she was put on the "at-risk" register from birth because of the family history.

In 1991, Debbie was taken to hospital after being discovered face-down and with breathing difficulties. Beckett claimed the child had taken two amitriptyline tablets. Debbie recovered but suffered a year of abuse before she was taken into care. In October 1992, social services stepped in and a month later Beckett was arrested.

At the end of 1993, police applied for the bodies of Tracey and Clare to be exhumed. Post-mortems found drugs in both their bodies. The high dose in Tracey's body had brought on the illness that killed her.

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Drink-drive fears over new 'loyalty card'

GLENDIA COOPER

BP Oil and the off-licence chain Thresher are said to be considering a joint "loyalty card" scheme, amid fears from the anti-drink-drive lobby that it could encourage motorists to buy more alcohol.

It could be the latest move in a huge proliferation of schemes that attempt to persuade customers to use shops or garages more frequently by awarding "points" for money spent which

can then be used as discounts or towards gifts.

The petrol company is understood to be looking at a "smart card"-based loyalty programme, to be launched in the latter half of next year along the lines of Shell's scheme, "Shell Smart".

Cards are swiped at the checkout and points credited in line with the amount spent. Shell, the first company to use a microchip card, rather than magnetic strips, earlier this

month linked up with John Menzies. Both retailers have done deals with other major companies and now offer points which can be put towards air miles, gifts, charitable donations and cinema tickets. No contracts have yet been signed but BP and Thresher are said to be "exchanging letters of intent to pursue talks on the subject", according to the trade paper, *Marketing Week*.

A spokesman for BP refused to confirm or deny that it was

talking to Thresher, but said it was concentrating on its ongoing promotion "That's Entertainment", which offers the chance to save points towards CDs, music systems and TVs.

"It's possible we've been talking to Thresher," he said. "We talk to lots of people about promotions... If there's a good idea I'm sure we'll be looking at it."

A spokeswoman for Thresher said the reports were "speculation", adding: "Other than the promotions going on in

our stores there are no schemes going on at the moment."

Any link up between BP and an off-licence chain for a promotional scheme could lay the company open to charges of encouraging drink-driving. A spokesman for Alcohol Concern said last night: "We'd be concerned at the risk if motorists were targeted in a marketing plan to increase their purchases at off-licence chains. People who would be buying more drink would be motorists and

that could carry an increased risk of drink-driving."

Loyalty schemes are seen as a highly effective way of "locking customers in" to one particular store. Whether they benefit the customer or the store is the subject of debate.

The big supermarket chains have proved particularly keen - Tesco launched one in February. Safeway launched a loyalty card four days ago, and Sainsbury's is currently halfway through the six-month

promotion period for its card.

All three schemes offer between 1 per cent and 3 per cent discounts. Both Sainsbury's and Tesco require a minimum of £10 to be spent before any points are accrued, while Safeway gives a point for every pound.

Increased sales are not the only bonus for supermarkets. Each time a card is swiped, it registers not only the total amount spent, but exactly what it has been spent on. The supermarkets can therefore build

up a customer profile of each card holder.

The National Consumer Council reserved judgement on the cards: "If you're getting something for nothing that's always all right for us," said a spokesman. "But there's the aspect that people are becoming captive customers, building up points when it takes a phenomenal amount to get anything. It benefits the shops more than the consumer in the long term."

Texaco



Launched a global Visa card. If used to buy petrol at a Texaco garage, it gives you two "stars" per £10; anywhere else gives one "star". You don't have to spend more than £10. "Stars" buy you "premium goods" ranging from CDs to flights to New York.

Tesco Clubcards



The Tesco Clubcard and Student Clubcard are credited with a point for every £5 spent, with a minimum spend of £10 per shopping trip (£5 for students and over-60s). Fifty points earn vouchers worth £2.50, or for students, 60 points earn vouchers worth £3.00.

Safeway

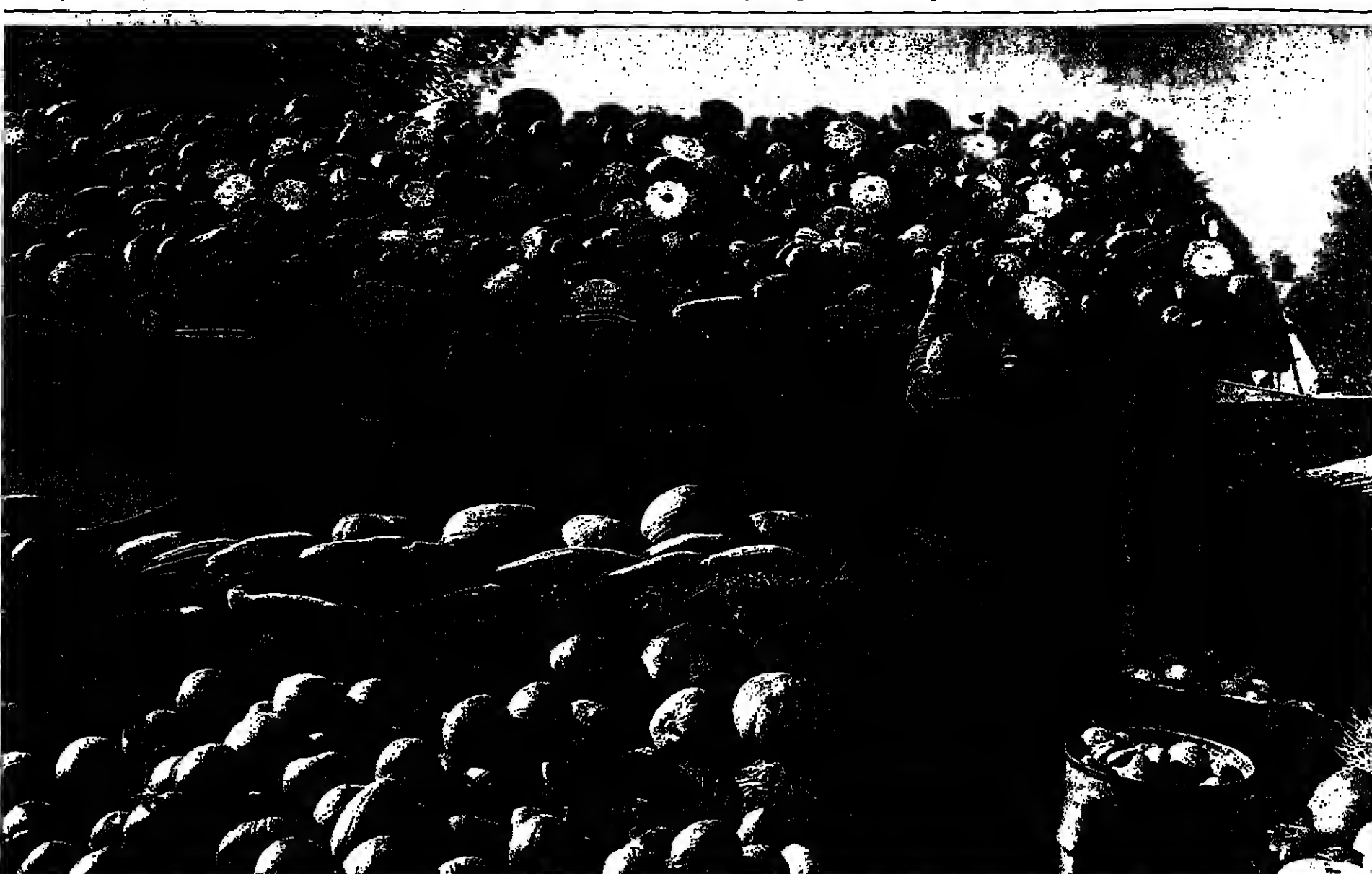


ABC cardholders can claim money off in four different ways: discount on their shopping bill; money off particular products; services such as a car wash; or free cinema tickets. Discount is 1 per cent - a point for every £1 spent. No lower limit for qualifying spend.

Sainsbury's



The Saver card, launched in July for a six-month period, offers up to £50 off your shopping bill. Customers get five points for every £10 they spend, but have to spend over £10 to start off with. Benefits those who spend more.



Spoilt for choice: A shopper picking a pumpkin from some of the 20,000 grown each year by Ralph Upton at Slindon, West Sussex

Photograph: Carl Pindell



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The new Mercedes E-class. Engineering seen with fresh eyes.

politics

Candidate's past: Anti-apartheid campaigner who planted bombs has Labour's full support for election Blair taunted over 'terrorist'

JOHN RENTOUL
Political Correspondent

Conservative MPs yesterday seized on the "terrorist" past of a Labour candidate, John Lloyd, who is well-placed to win the Tory marginal seat of Exeter at the next election.

Mr Lloyd, 54, is still out for given by some South African anti-apartheid campaigners for giving evidence in 1965 against a fellow member of the African Resistance Movement, John Harris, who was hanged for planting a bomb in Johannesburg railway station which killed a 77-year-old woman.

But in the Commons, Tory MPs raised Mr Lloyd's role in

planting bombs himself. Mr Lloyd insisted: "I had planted bombs, but only on symbolic targets like radio masts and electricity pylons. I was a very small fish. I was the bloke who drove the car, basically."

Mr Lloyd, who gave evidence against his colleague in return for immunity, was released after the trial and emigrated to Britain, where he became a barrister, joined the Labour Party and became an Exeter city councillor. He fought the Exeter seat in the last election and was chosen in the summer to fight it again.

David Lidington, Tory MP for Aylesbury and parliamentary aide to Michael Howard, the

Home Secretary, tried to embarrass Tony Blair by asking the Prime Minister to comment on Labour's "selection of a self-confessed terrorist as their candidate".

John Major replied: "I am totally opposed to any act of terrorism and I've no doubt the majority of the people in Exeter will feel the same way."

Brian Mawhinney, the Tory chairman, later wrote to Mr Blair, demanding that Mr Lloyd be dropped as a candidate. The Labour leader's office accused Dr Mawhinney of "throwing dirt" and said Mr Blair would not reply.

Mr Lloyd claimed the revival of the 30-year-old incident, in

yesterday's left-wing *Tribune* newspaper, arose from a "personal vendetta" to replace him as the Labour candidate for a winnable seat.

"It was an extremely distressing period and it is something that has marked my life ever since," he said. "If I had been a free agent I wouldn't have done it. I was in detention under interrogation and ... I saw John Harris as someone who had broken our code; we had a code of not endangering human life."

He said he was beaten and forced to stand "for days on end" - they broke me down and I gave evidence against Harris under duress."

A Labour Party spokeswoman said yesterday that Mr Lloyd had given a full account of his past to his selection meeting, and had the full confidence of the local party. "I have always been up-front about my past and I am still a dedicated anti-apartheid campaigner," Mr Lloyd said.

After being interviewed by the Labour General Secretary, Tom Sawyer, he was approved as a candidate by the party's National Executive at the same meeting which refused to endorse left-winger Liz Davies.



John Lloyd: Attacked by Tories over past. Photograph: Apex



John Harris (left), who was hanged for the 1965 Johannesburg station blast (right)



Mayhew rushes in Bill to free Ulster prisoners

COLIN BROWN
Chief Political Correspondent

A total of 88 terrorist republican and loyalist prisoners could be released by Christmas under an emergency Bill by the Secretary of State for Northern Ireland, Sir Patrick Mayhew, to help resolve the impasse over the peace process.

The Northern Ireland (Remission of Sentences) Bill will be rushed through both Houses of Parliament within the next fortnight, with cross-party backing. Sir Patrick said yesterday it could lead to a further 88 prisoners in Northern Ireland jails being released next year, bringing the total gaining early remission to about 470.

The Northern Ireland Secretary denied the timing was connected with the peace process,

but he admitted the release of prisoners was a "potent factor".

The releases were fore-shadowed in a speech by Sir Patrick on 25 August as a bonus from the cessation of violence by both sides. However, it is clear the Bill is a response to the demands by both the IRA and loyalist paramilitaries to deal with the issue of prisoners as part of the peace process. It is part of a hectic round of talks to make progress before President Bill Clinton visits Britain and Ireland at the end of next month.

The measures, which are open to judicial review by prisoners, may not go far enough for Sinn Féin, which has been demanding a general release of IRA and loyalist paramilitaries. But it could help to kick-start the process, which is deadlocked over the demands for the

IRA to decommission arms before joining all-party talks.

The release of prisoners - many wanted for serious acts of terrorism including killings - will cause unrest among Ulster Unionists. But the Government is hoping that the release of loyalist paramilitaries will dampen Unionist criticism.

Northern Ireland ministers regarded it as fortunate that the first releases will affect almost as many loyalist prisoners as IRA supporters. It does not affect IRA prisoners in British jails, who are subject to the Home Office probation rules.

The measure will reverse legislation enacted in 1989 under the Prevention of Terrorism Act in the face of an upsurge in terrorist violence. That legislation reduced remission from one-half to one-third of sen-

tence for prisoners serving fixed term sentences in Northern Ireland.

The new Bill will allow all prisoners in Northern Ireland serving fixed term sentences to be released after serving half of their sentence. They will then be required to remain under licence for two-thirds of their sentence.

Release on licence means they may be recalled if it is decided that they present a risk to others or are likely to commit further offences.

Sir Patrick denied the Bill was paving the way for a general amnesty for IRA and loyalist terrorist prisoners. "It is nothing to do with an amnesty. These are not political prisoners and this is not an executive release. We have always said that people convicted with these offences must serve their sen-

Opposition denies rent control claim

Tony Blair, the Labour leader, was yesterday forced to deny that he wanted to bring back rent controls as John Major fought back against the charge of a "lurch to the right" over planned cuts in housing benefit, writes John Rentoul.

Under new guidelines to take effect next year, councils have less discretion to top up housing benefit payments for the poor. In the Commons Mr Blair demanded: "Why don't you tackle directly the excessive rents being charged by private landlords rather than making tenants the victim?"

The Prime Minister replied: "I am pleased to see you commit yourself - and I hope the whole country heard it - to rent controls. That is what you are doing. You can't shake your head." He went on: "Presumably in the private sector it would mean no more available lettings. Presumably in the public sector you

would hold down rents artificially and push up the level of borrowing and tax."

Mr Blair's office later insisted that the Labour leader was not proposing rent controls and said his focus was on housing benefit fraud by private landlords.

A spokeswoman said the Government's policy of forcing up rents had resulted in a huge growth in the benefits bill.

But another reason for the growth in the cost of housing benefits was fraud by landlords. Councils were finding difficult to protect the public purse because of lack of staff.

Frank Field, Labour chairman of the Social Security select committee, said: "If the policy is to protect taxpayers, the drive against landlord fraud of housing benefit would be at the top of his agenda." The committee's investigations suggested the bill for fraud could be as much as £1bn a year.

Labour adds newcomers to election team

JOHN RENTOUL

Two Labour women MPs who have been in the Commons for only 16 months were promoted yesterday to the lowest rung of Tony Blair's government-in-waiting.

Margaret Hodge (Barking) and Judith Church (Dagenham), elected in by-elections last June, were among a batch of 10 "moderniser" MPs announced as new members of the "Lead-

ership Campaign Team" - a holding pen invented last year for promising backbenchers.

The final appointments in the reshuffled opposition following last week's Shadow Cabinet elections were announced by John Prescott, the deputy Labour leader, and will be attached to frontbench teams.

But they will also be allocated to groups of marginal seats to raise the tempo of the party's "key seats initiative", head-

ed by Peter Mandelson, MP for Hartlepool, who was last week appointed to an election campaign role in Mr Prescott's team.

Ms Hodge, the former leader of Islington council, has yet to shake off the political effects of the scandal of abuse in the borough's children's homes, but is close to Mr Blair and defended him from attack by Labour MPs on his decision to send his son to a grant-maintained school.

She is attached to Jack Straw's home affairs team.

Ms Church, another ally of Mr Blair's as the Manufacturing Science Finance union representative on the party's national executive, will cover "youth" and is responsible to Mo Mowlam, Labour's Northern Ireland spokeswoman.

The other new appointments, all from the 1992 intake apart from Martyn Jones (1987), are: Anne Campbell, Angela Eagle,

John Heppell, Keith Hill, John Holton, David Jamieson and Ken Purchase. Eight members of the existing team were promoted to frontbench posts last week, and 11 were retained.

Mr Mandelson yesterday said the party's effort in its 90 target seats would be stepped up. He set a target for 80 per cent of the electorate in these "key seats" to be contacted, by leaflet, telephone or in person, over the next year.



Margaret Hodge: Defended Blair over schools choice

Spirit of Tory unity survives Yeltsin's 'death'

■ Conservatives deny lurch to the right
■ House misled on Russian president

Tory as Tony Blair and his team did yesterday to portray the Tories as having lurched to the right, all the evidence from the backbenches is that the party has lurched to unity, its electoral survival instincts positively bristling. Sniping about a single currency, once a regular feature of Prime Minister's Question Time, has stopped altogether. And yesterday even the maverick Nicholas Winterton devoted his prime-time place to an easy one on how much better Britain is doing than other countries in tackling unemployment.

"It is extraordinary that the Labour Party should accuse the Conservative Party of being uncaring," said the Macclesfield MP, who in the past has used such occasions to protest about the plight of manufacturing industry, the housing slump and health service cuts.

Mr Blair, seizing on newspaper reports, asked the Prime Minister to confirm that changes in housing benefit would mean that thousands of vulnerable people - "pensioners, the disabled and families with young children" - would lose help and face poverty or eviction. The new guidelines are intended to save £400m a year.

"How can this possibly be fair and isn't it the clearest evidence of his party's lurch to the right and the death of One-Nation Conservatism?"

"Indeed it is not," John Major replied. "My party remains in the centre of politics and that is where it will always be."

Mr Blair's outrage was rather artificial because he clearly believed the *Guardian* story was a leaked document, the Prime Minister said. In fact it related to measures approved by the Commons last July.

Approved despite Labour opposition, that is. The Labour leader pointed out that housing benefit had risen as housing investment had been slashed. "If the problem, as was suggested by the social security minister, is private landlords charging excessive rents, isn't the sensible thing to tackle that head on - not use the vulnerable and innocent tenants as pawns to clear up a mess of the Government's own making?"

But the Prime Minister took that as a commitment to rent controls and hoped the whole country had heard it. "He can't shake his head. He has just given a Labour commitment to rent controls. Presumably in the private sector it would mean no more available lettings. Presumably in the public sector he would hold down rents artificially and push up the level of borrowing and tax."

The Prime Minister reaf-

firmed his intention to tighten controls on asylum seekers, agreeing with Sir Ivor Lawrence, Tory chairman of the Home Affairs Select Committee, who said it was about time Britain acted "against those who have no right to be in this country."

Unity was proclaimed in manic fashion by right-winger David Evans, MP for Welwyn and Hatfield. "Unlike Labour we on this side are totally united behind our leader," raved Mr Evans, a lieutenant of John Redwood in the Tory leadership contest. Labour's charge of a "lurch to the right" was repeated by Azo Taylor, shadow leader of the House, as she pressed Tony Newton on the future of the troubled Family

Inside Parliament
Stephen Goodwin

Homes and Domestic Violence Bill - intended to extend the rights of unmarried couples. The Bill was "being destroyed by the extreme wing of the Conservative Party," she alleged.

Mr Newton, Leader of the House, neutralised that one but then got into a muddle over the fate of Boris Yeltsin - expressing the shock and sadness of the Commons at the death of the Russian President only to find out minutes later that he was still alive. Tim Devlin, Conservative MP for Stockton South, relayed the false report to MPs and asked for a debate or statement on any ramifications for British foreign policy.

To consternation in the House and public gallery, Mr Newton replied: "I have myself only just heard what I am sure will be news greeted with sadness and a degree of shock in the House." Harold Eilletson, Tory MP for Blackpool North, said the president's death would leave a "power vacuum at the heart of one of the world's superpowers".

But eight minutes later his party colleague Sir Patrick Cormack, MP for Staffordshire South, resurrected the Russian president: "I have just been out to check ... it appears from the tape that at 4pm President Yeltsin was alive."

■ The Commons will propose on 5 November until the new session opens with the Queen's Speech on 15 November. Today's Business - Commons (9.30am) Debate on sport. Lords: Not sitting.

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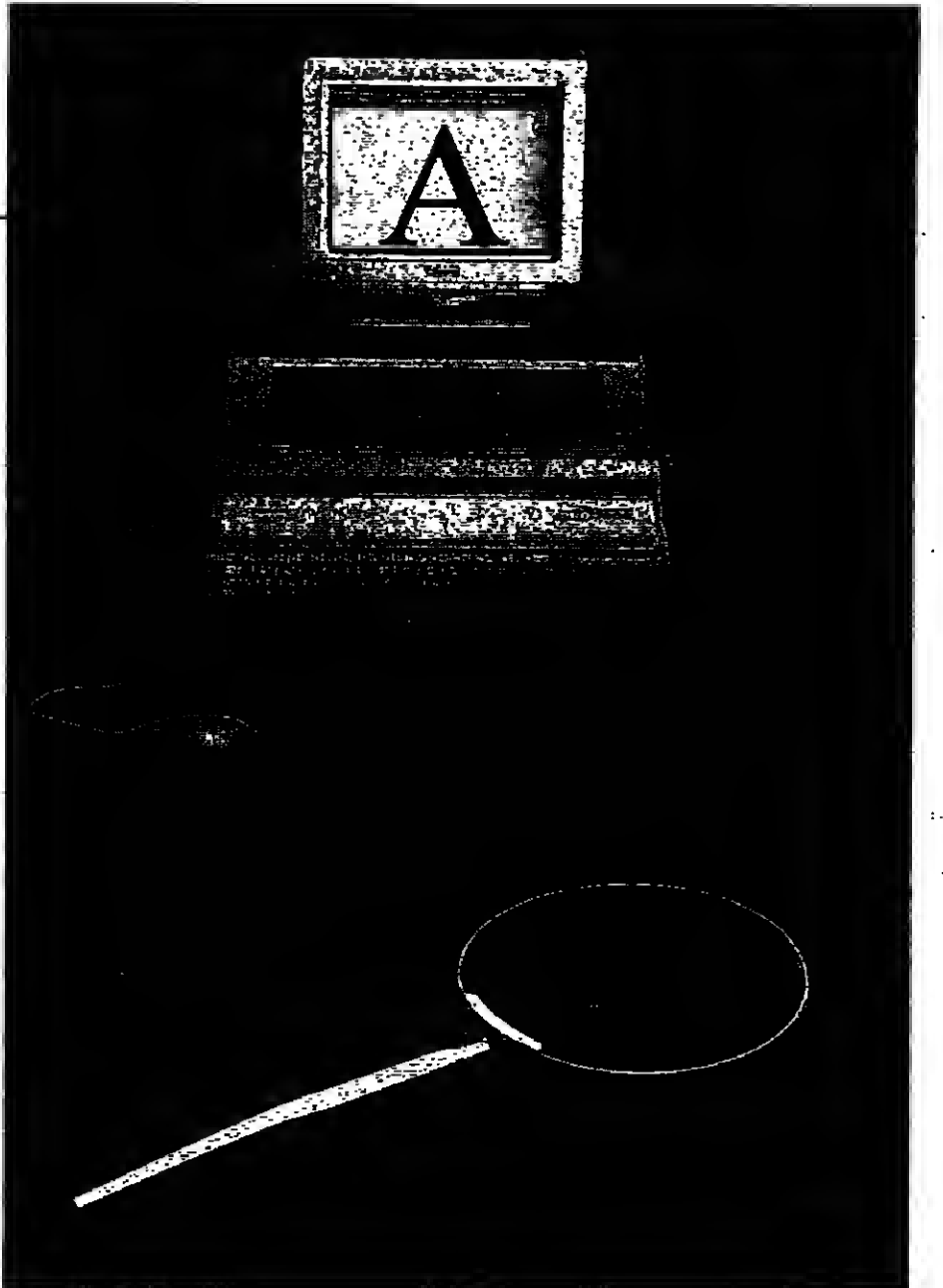
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news

The selling of Child B: Father must bargain hard with media and look to film and book rights to pay for any future treatment

Negotiating skills hold key to Jaymee's funds

RHYS WILLIAMS
Media Correspondent

On Wednesday she was plain Child B. By yesterday, Britain was getting to know her as Jaymee Bowen after the High Court lifted an injunction on naming the 11-year-old leukaemia sufferer to allow her father to raise money for future treatment by selling her story.

Precisely how much David Bowen, who last year gave up designing and fitting computer systems to look after Jaymee, receives will depend on his ability to deal with the media.

Although requests are channelled through his London-based solicitor, Rose Suter, Mr Bowen is handling negotiations himself. According to Ms Suter, Jaymee's treatment to date - funded by an anonymous donor - has cost in the region of £60,000. "If Jaymee relapsed, the doctor would be looking to

repeat that treatment. As a bottom line, he [Mr Bowen] would at least like to have that amount. If it was clear that was not enough and she needed a bone-marrow transplant, the cost quoted last February was estimated at £75,000 for an operation in the UK, £180,000 if she had to travel to the US."

Ms Suter said that proceeds from deals struck so far amounted to around £30,000. *Best* magazine, which broke the injunction by naming Jaymee last month, paid Mr Bowen £750. The *Daily Mirror* also has a contract with the family. The paper has so far paid £6,500 and is making £13,500 available for further treatment. The *Sun* also paid for its coverage of the story this week.

However, the problem that Mr Bowen faces is that from today the story will have largely been told. Last night, the BBC devoted a *Panorama* special to

the story but its producers say they did not pay for it. Max Clifford, a PR consultant who has negotiated big fees for ex-clients such as Antonia Sancha and Derek Hatton, says that the television coverage and *Mirror* deal meant that the press was largely exhausted as a source of revenue.

The chief source of income now, he said, would come from possible book and film deals. He even suggested that "if there's a happy ending and she becomes a real personality, then there's maybe the chance to develop into ads".

There was also money from other donors and, of course, Cambridge and Huntingdon Health Authority, whose refusal to pay for treatment precipitated the row. It has now made clear that it will pay for the type of treatment that Jaymee has received so far should she relapse.



Storytellers: Leukaemia victim Jaymee Bowen with her father, David

Photograph: Manni Masons Pictures

THE MONEY CHASE

More than £50,000 has been spent treating Jaymee Bowen. She could need another £60,000 if she has a relapse or £75-80,000 if her condition becomes more serious. If she needed treatment in the US, costs could rise by another £180,000. Now that she has been named, how much could she raise in the fight for a cure?

EARNING POTENTIAL

Newspapers/magazines: Already received £20,000 from the *Daily Mirror*, possibly £10,000 from the *Sun* and £750 from *Best*. Potential: An additional £30,000 over the years from magazines and one-off buy-ups.

TV: Nothing from *Panorama*. If it had been made by an independent production company and sold on, she could have made £20,000.

Film: £100,000 advance, 10-20 per cent profit from takings.

Books: £20,000.

Personal appearances: Nil. Bad for image to be seen to be cashing in like this.

Benefactors: £75,000 so far. Head to evaluate in the future.

Total: £170,000.

School bullying starts from the age of three

FRAN ABRAMS
Education Correspondent

Children are being bullied at school from the age of three or four, according to research published yesterday. The study by Liverpool John Moores University found that more than half the children who had been bullied said the problem had started at primary school.

But the research, conducted one year after the implementation of rules that require schools to have anti-bullying policies, found that most children felt able to tell an adult about the problem.

Eight out of 10 bullied pupils had told someone about their plight, with 62 per cent going to a parent and 39 per cent to a teacher. In the majority of cases, their intervention had a positive effect.

Questionnaires filled in by 3,000 pupils in the North-West, aged between 10 and 14, revealed that bullies usually operate in small groups and that the most common forms of bullying are name-calling, threats, hitting and scratching. Just over half of those ques-

tioned said they had been bullied at some time, and 14 per cent were still being bullied at the time of the survey. One bullied pupil in 20 had been suffering for more than five years, while 17 per cent said the bullying had been going on for more than a year.

Four per cent of the pupils said they had been bullied from the age of four, and one 13-year-old girl said she had been bullied at three. But bullying most often began between the ages of nine and 11, with 52 per cent of those who were bullied saying it had started at that time.

Girls were only slightly less likely to be bullied than boys, with 15 per cent of boys and 13 per cent of girls saying they were currently being bullied.

Three-quarters of those who had been bullied had been subjected to name-calling, while half had been threatened, and just under a fifth had been subjected to stealing.

One pupil in five admitted to bullying, with 21 per cent of boys and 18 per cent of girls saying they had done so. When asked why they had done it, four out

of 10 said it was because they disliked their victims, while 12 per cent cited peer pressure.

Three-quarters said they were aware of action against bullying by their teachers, or at least of their school having an anti-bullying policy.

Dr Anne Miller, director of the university's Centre for Consumer Education and Research, which carried out the work with BBC North West Television, said the tender age at which bullying started was surprising but that it coincided with children going out of the home.

"Once they are away from the home, then all sorts of things can be happening," she said.

Jane Kilpatrick, assistant director of Kidscape, a charity which helps bullied and abused children and their families, said it was receiving an increasing number of calls from parents of younger children.

"We are not surprised at all by these findings. They confirm what we have always known, that bullying behaviour starts young and the sooner that teachers and others working with children start stamping it out the better," she said.

RSC staff fight switch from capital to regions

DAVID LISTER
Arts Correspondent

The Royal Shakespeare Company is in conflict with its own staff over its decision to leave London for six months of the year and tour the regions.

The decision was revealed in the *Independent* in June and provoked by the RSC's artistic director, Adrian Noble, as a way of being a truly national

company and taking Shakespeare to the people.

Mr Noble is adamant that the change will take place, and the Barbican Centre in London is urgently seeking new tenants for the RSC's theatre for the summer months.

However, Bectu, the theatre union, which represents the backstage staff at the RSC, has written to all the company's governors, who include the Prince

of Wales, condemning the plan and saying it endangers the staff and stage and wardrobe skills that have developed over 30 years.

It also said that not a single regional theatre had yet agreed to host an RSC residency, a fact confirmed by the company yesterday.

Judith Blakeman, Bectu's national officer, said: "This means that the RSC, having burned its boats with the City of London Corporation, which runs the Barbican Centre and gives it a generous annual grant, now has nowhere to go. The RSC promised us further information about their proposals back in July. The fact that we have heard nothing suggests that the RSC is now seriously embarrassed, and that the whole future of the London operation is in jeopardy."

"In the meantime our members face the loss of their livelihood. We don't understand how any responsible public employer can wantonly throw long-serving and loyal workers on to the dole like this without a second thought."

The union is seeking a meeting with the new managing director of the Barbican Centre, John Tusa. They will tell him, says Ms Blakeman, that "the RSC in its arrogance has made a fundamental error of judgement in committing itself to a touring programme that is just not wanted in the regions".

An RSC spokeswoman said yesterday that the new arrangements were out due to start in 1997 and a venue for a new residency should be known by Spring 1996. The RSC would also be touring nationally and 12 theatres had expressed an interest in receiving the RSC for short tours. She added: "We regret that the implications of these plans means a reduced season of work in London."

Gavin Ewart, who died earlier this week, completed a final volume of *Selected Poems*, to be published by Hutchinson in 1996.

DAILY POEM

Breakfast All Day

(Notice outside a café in the Lower Richmond Road)

By Gavin Ewart

Breakfast all day!
What a marvellous thought!

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eggs and bacon, toast, marmalade,
tea or coffee!
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buckwheat cakes, bagels, iced water!

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breakfast all day -
with Room Service angels -
and the taste and the joy and the appetite
stay fresh, all day!

"The Ewart motto," Gavin Ewart once wrote, "is a simple one: *Make the most of life!*" Among the many joys of publishing him, writes Tony Whitmore [his editor at Hutchinson over 20 years], was that you never knew what was going to arrive next - a vast Pindaric ode celebrating, with only part mock-heroism, England's great victory over Australia at Headingley, a series of "little odes" (poems sometimes as short as one line), a "so-called sonnet" or a foray into long-neglected forms such as a sestina or a sea-shanty. He often improved my jacket blurb out of existence, so they became poems in themselves - always funny and pointed, but with that individual essence of seriousness and feeling which characterised his work. He was much more than a poet of light verse - but as he said, "good light verse is better than bad heavy verse any day of the week."

Gavin Ewart, who died earlier this week, completed a final volume of *Selected Poems*, to be published by Hutchinson in 1996.

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Illness wrecks Yeltsin's comeback hopes

Moscow — Only last week Boris Yeltsin was in such high and apparently healthy spirits that he was joking about playing tennis with Jacques Chirac. He seemed to be back in the political ring and sparring for a fight in next year's presidential elections.

But last night his comeback was in tatters after he was rushed by helicopter from a country residence to Moscow's Central Clinical Hospital, evidently exhausted by his summit meetings in France and the United States. He had suffered another heart attack, his second in less than four months.

Although he has yet to announce his candidacy for next year's election, his illness will certainly damage his chances of re-election to the Kremlin's top job. He already faces a disgruntled electorate, worn down by rising prices, unemployment, a fruitless war in Chechnya, and a growing perception that Russia no longer matters in global terms.

Now, when he least needs it, he has given Russian voters another jarring reminder that he is physically as well as politically weak. It is no surprise, then, that on the streets of Moscow, where he was once regarded as a reforming hero, the news of his hospitalisation seemed to arouse only lukewarm interest. "There is no-one in politics who cannot be replaced," said Vladimir Stolov, a 42-year-old construction worker. "The only bad thing about this is that it leads to further instability." Others echoed his views. "It is all the same to me," said Marina Baskrovskaya, 58. "We had hopes for Yeltsin, but he turned out to be like all the rest of them."

Last night, as news of his illness spread, speculation turned to what would happen if he proves to be incapacitated. Under the constitution, the reins

Phil Reeves looks at the implications of the latest crisis at the Kremlin

of power would pass Viktor Chernomyrdin, the Prime Minister, who would run the country until the President recovered or an election was held. But whether Mr Yeltsin's closest aides would allow this is uncertain. Several of the Kremlin inner circle loathe Mr Chernomyrdin and have been waging a covert campaign to unseat him in the hope of replacing him with one of their own more hardline candidates.

Whatever his current problem (and it was reportedly only a mild heart attack) his inner circle may decide to do nothing, just as they did when Mr Yeltsin had a heart attack this summer. Although his condition turned out to be far more serious than the Kremlin initially admitted, his staff went to elaborate lengths to convince the world that he was still at the helm by releasing a photograph of a healthy-looking Mr Yeltsin happily sitting at a desk. This backfired badly when a sharp-eyed photographer noticed that the same print had been released several months earlier.

Last night, his staff were anxiously awaiting a medical diagnosis to confirm his ailment, which is believed to be ischaemia — a which affects the blood supply to the heart. The President, whose appearance has deteriorated sharply during his four and a half years in office, has never been able to dispel rumours that he has a drink problem, although his aides deny it. His conspicuously high spirits in New York, and his rather puffy features, aroused new suspicions.

Alleged drinking exploits aside, he has a serious medical condition which has plagued him since before he became President and may ultimately

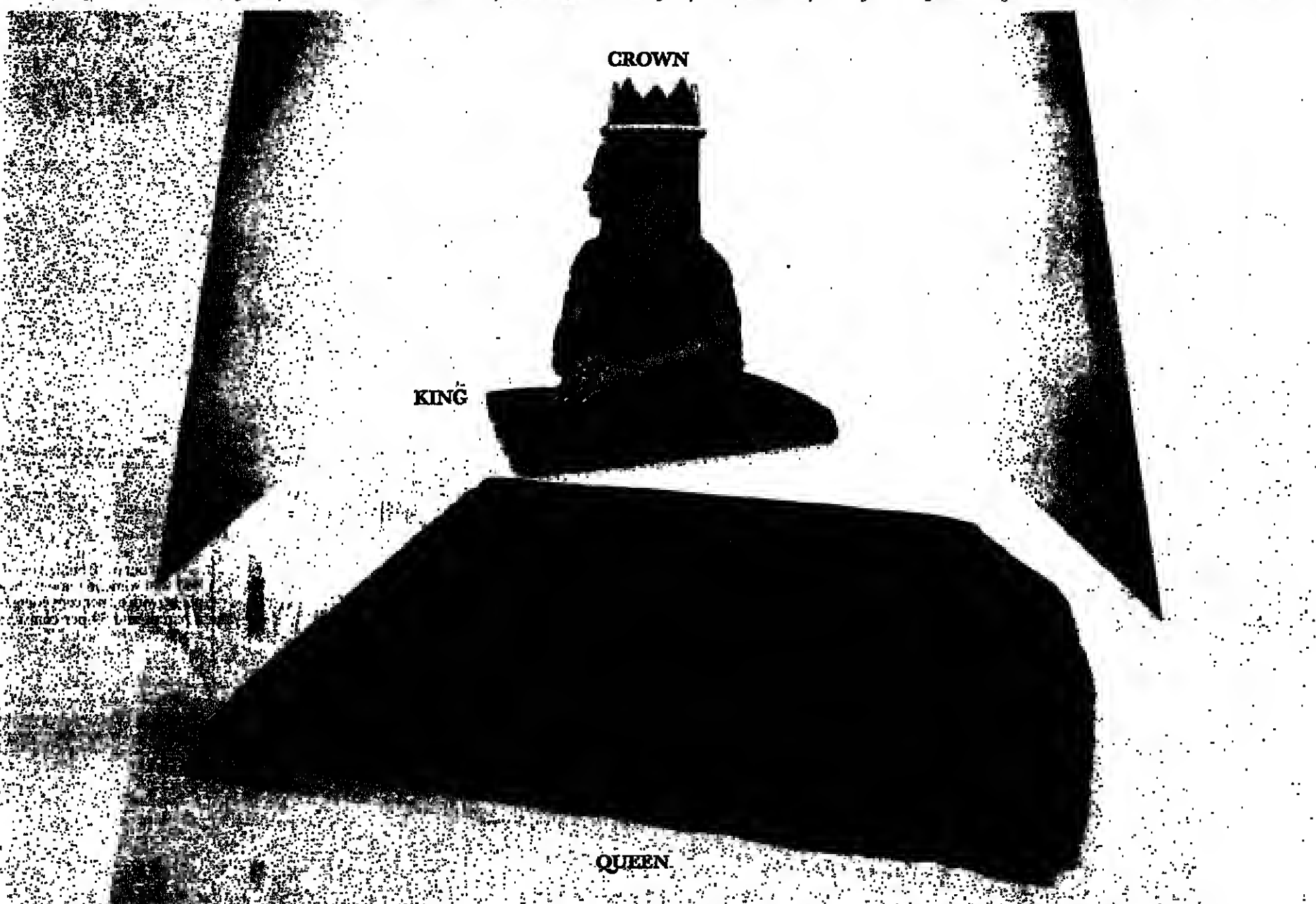
destroy his political future. In November 1987 he was taken to hospital with chest pains after being dumped as the head of the Moscow Communist Party. In April 1990 he was back in hospital with what his aides described as "possible" heart problems. The following year he spent two weeks recuperating on the Black Sea after yet another suspected episode of cardiac trouble.

For all this, long-term observers of Mr Yeltsin were cautious yesterday. Whatever his problems today, there is much water to flow under the bridge before next June, including parliamentary elections in December. He has a remarkable habit of bouncing back, usually just after he has been written off by the outside world. "If he is not seriously ill he will run again," said the political commentator Sergei Chojashev. "Power is like a narcotic with him. He can't live any other way."



Warning signs: Mr Yeltsin (left) with Kremlin top brass in February and at a CIS summit (centre) where his appearance caused concern

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A stressful job that heightens the risks

LIZ HUNT
Health Editor

Ischaemia, which struck down Boris Yeltsin, describes an insufficient blood supply to a specific organ or tissue — in this case the heart — due to diseased or damaged blood vessels which have narrowed.

Atherosclerosis, narrowing of the arteries due to deposits of fatty material — is the most common reason, and believed to be behind this, Mr Yeltsin's second attack in four months.

Unmonitored and untreated, the condition can lead to a heart attack or stroke. Mr Yeltsin has other risk factors for heart disease: he is overweight, is believed to have high blood pressure, is alleged to drink heavily and has a stressful job. However, a leading Russian

doctor has ruled out any immediate danger to the President's life.

Vladimir Samarin, a cardiologist at the State Scientific Centre for Preventative Medicine in Moscow, said last night: "If I was talking to my patient I would tell him two attacks in four months was not bad. I would also give an optimistic prognosis — that is, if other attacks have not been concealed, of course."

Dr Samarin added: "As an expert, I would not be surprised if Yeltsin had an ischaemic attack after such a heavy and stressful trip to the United States."

Treatment of ischaemia includes vasodilator drugs and, in the most severe cases, coronary angioplasty to clear the heart arteries, or a by-pass operation.

Giuliani's potholes cost him a vote

A hour before his visa expired, the acknowledged star of the UN 50th-anniversary celebrations, Fidel Castro, left New York to the cheers of neighbours of the Cuban mission. They were happy that



Giuliani: 'Rude' and 'puppet of the Israelis'

they could finally go home without being asked to show identification.

The Cuban leader, snubbed by Mayor Rudy Giuliani, proclaimed he "would not vote for the mayor". With a grin, Mr Castro continued: "It's not just because he didn't invite me to dinner, but because on my way into town from the airport there were such enormous potholes."

Mr Giuliani has also been lambasted by former mayor Ed Koch, who is Jewish, as a "rude" man with "behavioural problems" and by a PLO spokesman, Marwan Kanafani, as "a puppet of the Jewish and Israeli lobby in the city of New York" for having Yasser Arafat ejected from a New York Philharmonic concert on Monday. The PLO leader took his time departing 30 minutes before the performance ended. He stayed through Beethoven's *Ode to Joy*, which extols the brotherhood of man.

PEOPLE

Egypt's Industry Minister, Ibrahim Fawzi, has presented a car to the Bosnian ambassador in Cairo. The financially strapped ex-Yugoslav republic did not own an embassy vehicle, and its envoy, Arđija Hadrovic, has had to rely on public transport to get around the city.

After Mr Hadrovic was late for an appointment because he could not find a taxi and had to take one of Cairo's overcrowded buses, Mr Fawzi appealed to car manufacturers for a donated vehicle. The gift was presented at a reception this week.

The ill Boris Yeltsin has much on his mind these days: his health, the future of democracy in Russia, how to walk the line between co-operation with the West and, in his nationalist opponents' eyes, selling out to the US and Nato. And there is Brigitte Bardot.

The animal-rights activist has written to "Yelt-stalin, polluter of the world with your crumbling and unsafe nuclear plants contaminating your population", on the "decadent barbarity" of Russian reindeer hunting.

"By repulsively slaughtering these animals, allowing the last herds of reindeer fleeing the ice of the Great North to be exterminated, you show the world the portrait of a despicable country," Ms Bardot wrote. "Between the extermination gulags of baby seals on the White Sea, an utter genocide of innocence, and the ignoble butchery of the last reindeer herds, you demonstrate in monstrous fashion what is most vile and base in mankind."

MARYANN BIRD

bullying from the of three

light switch al to region

international

Torchlight troops outrage Bonn

IMRE KARACS
Bonn

A Prussian "Grand Tattoo" in the heart of Bonn celebrating the new German army's 40th birthday whipped up more than a little storm yesterday, as opposition politicians snubbed the ceremony, accusing Chancellor Helmut Kohl of harking back to the country's worst military traditions.

The parade, which was first introduced by King Friedrich Wilhelm III in 1813, and which went out of fashion in 1945, was to culminate last night in a torch-lit procession among the linden trees in front of the university. A force of 3,000 policemen was at hand to protect the soldiers from potentially violent peace protesters. Under the banner "Militarism—never again" thousands of people gathered in an adjoining square to air their disgust with the event. The local council, run by an alliance of Social Democrats and Greens, authorised the counter-demonstration.

The row over the decision to hold the tattoo in the middle of

the sleepy little Rhineland town rekindled debate about the role of the German armed forces and their place in a society that would rather not notice their existence. "This is a provocation against the town's civil community," complained Manfred Stenner, the head of the Bonn Peace Bureau. "The Chancellor wants to demonstrate to the citizens of Bonn that the Bundeswehr [federal army] is the biggest peace movement in Germany today. It may be a political signal to the neighbouring countries of Germany's military power."

The peacekeepers were particularly incensed by the choice of the venue, accusing the army of desecrating their most hallowed ground. It was on the same university lawn that the legendary Petra Kelly rallied demonstrators in the 1980s against the stationing of Pershing nuclear missiles.

Traditionally, Bundeswehr birthday parties have been tucked away in quiet barracks, lest they offend foreigners and the many Germans who still feel nervous about manifestations of



Unbending: Chancellor Kohl (right) at a press conference with President Jacques Chirac yesterday. Photograph: AFP

German military power. The army first came out of the closet at last year's farewell ceremony in Berlin to allied soldiers. Now Mr Kohl wants to make a habit of it. "It is absolutely crucial that we celebrate this birthday in public," he said. "It is self-evident that we stand by our soldiers."

Many Bonn residents, unswayed by the fuss, think he is right. "This is a tradition of the Bundeswehr... it is natural that they should be allowed

to perform it," said a 58-year-old woman. "I think it is the counter-demonstration that's stupid." Philipp Wolff, a 25-year-old student, agreed: "The Bundeswehr is part of the state and is needed. It must be integrated into society. It is dangerous to hide soldiers... That's how you get third-world tendencies—dictatorship."

Bringing them into the open is one thing, but some locals question whether they have to perform a ritual choreographed

by a Prussian king and perfected during the Third Reich. "The most problematic thing is that the Nazi Wehrmacht and even the Waffen SS celebrated this kind of procession," Mr Stenner said. Echoes of such concern could be found even among those who supported the decision and planned to turn up for the spectacle.

"The torches are a problem," said Patrick Neuhaus, a 21-year-old law student. "I think they could have done it without the torches."

But torches it was to be, Mr Kohl decreed, and he was going to take no nonsense from anyone trying to spoil his party. When Bonn council gave permission to the protest demonstration, the Chancellor's fury was boundless. His office threatened to "take the Ministry of Defence to Berlin". The Bundeswehr is one of few national institutions to be retained by Bonn after the move to the new capital in 2000.

"Take your soldiers," the burghers of Bonn countered. "Maybe the Prussians there will appreciate your parades."

Mr Kohl, a Rhinelander himself, should have known that Prussians in this part of the country are not exactly role models. The Chancellor, who sometimes forgets that he is not an absolute monarch, should have remembered that the decision on which of the ministries should move was made by the federal parliament, not by himself alone.

In the event, his ill-tempered response merely stiffened the opposition's resolve not to grace Mr Kohl's moment of glory. While foreign ambassadors could hardly duck out, Rudolf Scharping, leader of the Social Democrats, did refuse to turn up for the parade, though he attended a soldier-free jam-boree at Bonn's concert hall.

The Greens also made their excuses, the best coming from Volker Beck, a member of the national parliament. Mr Beck and his wife had received a handsome invitation from the Chancellor's office. "Unfortunately," Mr Beck replied, "there is no Frau Beck in my ménage." He had the courtesy to offer to bring his boyfriend instead.

Wanted: new chief for Nato

SARAH HELM
Brussels

The US is determined to ensure that a highly-respected heavyweight figure takes over as Nato Secretary General, at a time when the credibility of the alliance has been brought into some disrepute, diplomats say.

After the resignation of Willy Claes over links to alleged bribes in helicopter deals while he was Belgian economy minister, Washington wants to make sure that there is no similar mistake, though this may delay the appointment for weeks.

It is understood that the US attempted to put pressure on Douglas Hurd, the former foreign secretary, to change his mind and stand for the job he has not been persuaded as yet and this has led to the emergence of other heavyweight British figures. News that Britain is considering proposing Sir Leon Brittan as a candidate reported in the Independent yesterday, was broadly welcomed by Nato insiders, but

caused some surprise within the European Commission.

Sir Leon's professionalism is highly respected, and his brokering skills are considered right for the job of chairing the meetings of Nato ambassadors. His tough reputation as a negotiator is exactly what is needed to ensure that Nato can reach agreement over how to enforce peace in the Balkans.

Nevertheless there were fears that a British intervention could delay the selection process. It had been expected that the decision on the new Nato chief would be taken within days. Now it is likely to be weeks. John Major was yesterday still considering other British candidates, and will come under pressure to make a firm proposal soon. However, his options are very limited and he is loath to propose any sitting Tory MP, because, to do so, would force a by-election. The prospect of selecting a reported in the Independent yesterday, was broadly welcomed by Nato insiders, but unattractive.



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The favourites

Lord Brittan
Age 57, Conservative
Current Job: EU Commissioner
Experience: 12 years in the Foreign Office
Plus points: Skilled and experienced diplomat. Speaks French. Youngish.
Minus points: No direct experience of defence jobs. The appointment would force Brittan to choose new EU commissioner. Western ally, like Mr Claes' problem, centred on helicopters.

Rud Lubbers
Age 57, Dutch, Conservative
Experience: Prime Minister of the Netherlands for 12 years until 1994.
Plus points: Experienced political mediator. Solid supporter of European defence policies, and of the trans-Atlantic alliance. The Netherlands has been...
Minus points: Deemed to be something of a lightweight. Too flamboyant and provocative. Danish criticism of French nuclear tests makes him unpopular with Paris, which complains he is not fluent in French.

Ellenmann-Jensen
Age 55, Danish, Liberal
Experience: Journalist. Former Danish minister.
Plus points: Respected as a diplomat on world stage. Won plaudits for stewardship of Danish foreign policy. Energetic, witty, charismatic.
Minus points: Deemed to be something of a lightweight. Too flamboyant and provocative. Danish criticism of French nuclear tests makes him unpopular with Paris, which complains he is not fluent in French.

The outsiders

Douglas Hurd
Age 65, British, Conservative
Current Job: MP for Witney and director National Westminster Bank.
Experience: British foreign secretary from 1989 until June this year. Played key role on world stage during German reunification, the Gulf War and the Balkan conflict. Previously held other senior Cabinet posts. Career diplomat.
Plus points: Highly respected diplomatic skills, and vast experience of international affairs and defence. Speaks French. Liked by Washington.
Minus points: Doesn't appear to want the job. His appointment would force untimely by-election in Witney.

David Owen
Age 59, British
Current Job: Member of House of Lords.
Experience: Medical doctor. Former Labour defence minister and Foreign Secretary. Former EU peace envoy to the former Yugoslavia.
Plus points: Experience of defence and foreign affairs. Intimate knowledge of conflict in former Yugoslavia. Respected intellectual. Ambitious and determined.
Minus points: Unpopular with the US, due to stances on former Yugoslavia. Deemed to be somewhat arrogant and difficult, and therefore not the best mediator.

EMU strictures threaten City

SARAH HELM
Brussels

Britain fears that London's status as a financial centre could be undermined by plans now being discussed in Frankfurt for European monetary union.

Although Britain has a right to "opt out" of monetary union, due to launch in 1999, the Government is taking a full part in talks on the preparations should it decide to opt in.

In discussions at the European Monetary Institute in Frankfurt, where all European Union central bank governors are drawing up the EMU masterplan, Germany is insisting that all countries which join the single currency

adopt German monetary policy instruments, including minimum reserve requirements, regarded by some in the financial community as a quasi tax on banks.

The German system means that each bank must hand over a portion of its deposits, to be held by the central bank without interest, as a means of controlling inflation. Hans Tietmeyer, president of the German Bundesbank, argues that it is the most effective system for keeping prices stable. Britain believes adopting the continental monetary policy tools would be extremely costly and could scare away big commercial banks from London.

The threat to the City is certain to feed British Eurosceptic fears about monetary union.

Under the Maastricht treaty, the masterplan for monetary policy must be agreed by 1996, ahead of the British election, which has to take place by mid-1997.

According to senior banking sources in Frankfurt, Eddie George, governor of the Bank of England, is blocking the plan and discussions have reached an impasse. There are fears in Frankfurt that Britain may veto the masterplan, thereby holding up the move to monetary union. The Bank of England says it strongly opposes the German system, claiming that options are still open. However, in a speech this week Mr Tietmeyer made clear that Germany will insist on a system of minimum reserves.

Describing how Germany wants the European Central Bank to operate, he mapped out a vision which closely resembled his country's own central bank.

"It is a fundamental clash of philosophy over monetary policy with Germany at one end and Britain at the other," says Graham Bishop, European affairs adviser at Salomon Brothers in London. "If high minimum reserve requirements are introduced, some banks based in London could move offshore from the EU. It is effectively a tax on banks."

Even EU officials who support monetary union concede that Britain has justified fears.

"Many banks have moved to Britain," citing London's favourable regulatory climate. Britain risks losing its status as a financial centre, said a senior economics official in Brussels.

"This shows how important it is for Britain to be involved in the heart of discussions on developing monetary union."

The dispute is the most significant split yet between Britain and its European partners over the preparations for monetary union and illustrates how difficult it will be for Britain to agree a European approach to monetary policy, should it decide to join the single currency.

The row also illustrates how hard it is becoming for Britain to sit on the fence over joining as preparations get underway. John Major has said there is no urgency for Britain to decide on whether to join EMU, and the Government will wait until the time is right.

It is widely expected that the decision would not be taken until after the next general election. However, although Britain can defer its decision, it is becoming increasingly difficult to put off deciding whether to join in the preparations. In order to be ready - just in case - Britain must start preparing the City, the financial institutions and the public.



Italians demand explanation from French

Rome — The Italian government called in the French *chargé d'affaires* and demanded an explanation for the "regrettable" boarding of a Greenpeace anti-nuclear protest ship in Brindisi harbour on Wednesday (above). Commandos fired tear gas and boarded the *Altair* after it entered the harbour with four inflatable vessels to try to keep the French destroyer *Dupleix* in port. AP

British soldier killed in Bosnian accident

A British soldier, Fusilier Gary Riches, 24, from Newcastle, was killed by a bullet in the head at the British base at Zepce, central Bosnia on Wednesday, writes Christopher Bellamy. A second soldier was seriously injured. Army sources said the incident appeared to be an accident.

Hostage wives appeal to militants

New Delhi — The partners of four Western tourists held hostage in Kashmir since July, including the wives of two Britons, left India for home, renewing their appeal to Al-Faraz militants to release their menfolk. "It would be honourable and humanitarian," said Julie Mangan and Catherine Moseley, whose husbands were abducted while trekking in the mountains of Kashmir. Reuters

Russia to take revenge on rebels

Grozny — The Russian military said it would retaliate against Chechen rebels blamed for killing 18 Russian servicemen in an ambush. Local citizens were warned to leave the southern region of Vedeno "to avoid casualties". Reuters

RIP Joe Camel

Raleigh, North Carolina — Joe Camel (right) is tired and needs a short holiday, say the makers of Camel cigarettes. The hump-backed cartoon character is to be withdrawn from billboard advertising in the United States for the rest of the year. "We decided he needed a short break to keep him fresh," said a spokeswoman for the tobacco company RJ Reynolds. AP

European Commissioner to sue newspaper

Brussels — The Danish European Commissioner, Ritt Bjerregaard, said she would sue the Danish newspaper *Politiken* for printing extracts from her controversial diary. Ms Bjerregaard had withdrawn the book, *The Commissioner's Diary*, from publication. Reuters

Avalanche kills 16

Rekjavik — An avalanche roared down on the isolated coastal village of Flateyri, 155 miles from Iceland's capital, killing at least 16 people. Rescuers, assisted by dogs, battled winds of 50 knots and near-freezing temperatures to dig for survivors. Ten villagers were rescued and four were missing as darkness fell. AP

Iraqi captain flees to Kuwait

Kuwait — An Iraqi air force captain fled to Kuwait with his wife and one-year-old daughter and asked for political asylum, according to *Al-Wakeel*. The newspaper said the officer was in uniform when he arrived in the demilitarised Iraq-Kuwait border zone. AP

Inspirational Dini routs Berlusconi

ANDREW GUMBEL
Rome

Lamberto Dini pulled his government dramatically back from the brink yesterday, facing down his adversaries with a stirring speech to Parliament and beating off a no-confidence motion by a handful of votes.

A last-minute change of heart in his favour by the far-left Rifondazione Comunista followed a series of last-minute negotiations to ward off a full-blown government crisis. Mr Dini won 310-291 and now has breathing-space to see the 1996 budget, crucial in the battle to bring down the soaring public deficit, pass through Parliament.

"This is a crisis which the country does not deserve, which economic conditions do not permit, and which in the light of the needs of the people is irresponsible," he said during a spirited 45-minute address to the Chamber of Deputies.

Mr Dini's victory was a blow to his predecessor and chief detractor, Silvio Berlusconi, whose conservative Freedom Alliance had called the no-confidence motion following a dispute over the dismissal of the Justice Minister, Filippo Mancuso. Mr Berlusconi had accused Mr Dini of plotting to get rid of Mancuso for political reasons.

leading his coalition into general elections before the start of his trial on corruption charges on 16 January and must face a growing chorus of dissenters anxious to replace him as the centre-right's prime ministerial candidate.

Mr Dini's neo-political government, installed nine months ago to break the deadlock created by the collapse of Mr Berlusconi's administration, had seemed doomed because the no-confidence motion was supported by the Freedom Alliance and Rifondazione Comunista, which together outnumber the pro-government centre-left parties.

Rifondazione has consistently opposed Mr Dini's budget proposals, saying they were against the interests of the Italian working-class. But the determination of its leader, Fausto Bertinotti, to undermine the Dini government faltered, say political sources, when he realised he would be deprived of all electoral alliances with the mainstream left, alienate his grassroots supporters and risk losing half his 24 deputies at the next general election.

Mr Dini persuaded Rifondazione to abstain from voting in exchange for a commitment, more moderate than the already publicly stated intention to hold elections in 1996. This was not much of a concession, since he has always said he would resign as soon as he had completed the four key tests he had been mandated to carry out. Only one — the television airing of recorded parties during election campaigns — is still outstanding.

Mr Dini won wide praise for the combative, statesman-like style of his speech. In particular, he demolished one by one a series of allegations of bad faith levelled at him and at President Oscar Luigi Scalfaro by Mr Mancuso.

He was also confident enough to raise the prospect of renewing his mandate to rewrite the country's electoral laws and see Italy through its six-month presidency of the European Union, which starts on 1 January. "If no consensus for this emerges, we could at least pass the budget and then head for elections in a more relaxed atmosphere," he added.

Mr Dini is not entirely out of the woods, however. Mr Berlusconi could still threaten to oppose the budget when it comes up for parliamentary approval in the next few weeks — this time with the certain backing of Rifondazione Comunista. It would be a high-risk strategy, since many of Mr Berlusconi's more moderate supporters have already publicly backed Dini.



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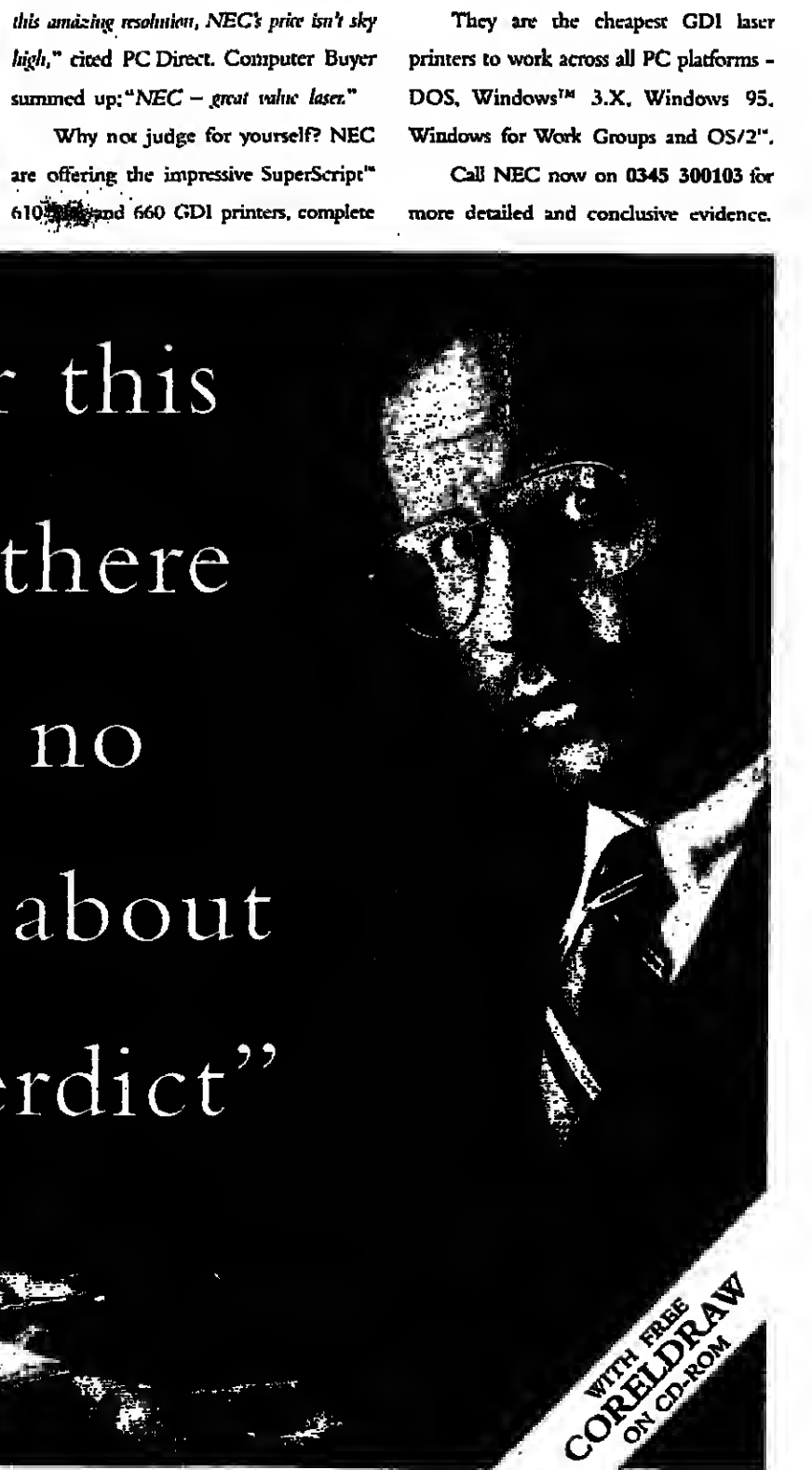
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Canadian PM begs Quebec not to destroy union

HUGH WINSTON
Ottawa

The Canadian government finally has intervened directly in the Quebec referendum battle with an 11th-hour appeal for unity. It reflects an air almost of desperation in Ottawa as the leaders of the Liberal government realise separatists may win Monday's vote.

Invoking a rarely-used section of the Broadcasting Act relating to national crises, Jean Chrétien, the Prime Minister, commandeered national air time for an emotional plea to fellow Quebecers not to turn their backs on the country they helped to build.

Federalists also have organised a monster rally in Montreal today, to which thousands of Canadians will join federalists within the province, in an effort to strengthen the message that they want Quebec to remain in Canada.

Looking haggard and older than his 61 years, Mr Chrétien warned Quebecers not to be fooled by the separatist promise of a trouble-free divorce after which they can have independence and keep the benefits of economic union with Canada.

He repeated that he would support changes in the constitution to include recognition of Quebec as a distinct society and to restore Quebec's veto over

changes that might affect its language, culture and power within the confederation.

His promise was attacked by Lucien Bouchard, leader of the Bloc Québécois party in the federal parliament and *de facto* leader of the separatist campaign in Quebec. He said that the Prime Minister's about-turn on constitutional concessions was phoney. "There is no wind of change blowing through



Chrétien: last-ditch plea reflects desperation

Ottawa, just a wind of panic," he said.

Until this week, Mr Chrétien had remained aloof from the campaign, making only a few speeches in Quebec restating his belief that most Quebecers would not vote to break up Canada. He has also opposed new constitutional discussions after the failure of previous attempts in 1990 and 1992.

Speaking in both English and

French, Mr Chrétien admitted for the first time that Canada faced a crisis. "What is at stake is our country. What is at stake is our heritage."

He challenged separatists to provide one good reason to destroy Canada and bring about "the end of a country that has made us the envy of the world." He also asked whether the French language and culture would be better protected by a small state of 7 million people up against 250 million English-speakers in North America.

The English-Canadian pilgrimage to Montreal today was sparked off by the Fisheries Minister, Brian Tobin, the silver-tongued Newfoundlander who became a national hero when he led the fight against Spanish fishermen in the so-called turbot war.

Within hours, the two national airlines had announced a "unity fare", allowing anyone to fly to Montreal for as little as 10 per cent of the regular price. Every flight into Montreal has been booked and extra flights are being arranged.

Bus caravans are en route from as far away as Fredericton and Halifax, 700 miles away. Nova Scotia's Premier, John Savage, called for school classes to be cancelled and for employees to be given time off to drive to Montreal.

News Analysis, page 21



Young patriot: Greg Widdison, a student, urging drivers in Ottawa to show support for Canadian unity before Quebec's vote on secession. Photograph: Jeff Bassett/AP

Rule-rigging nationalists set to win Croatia poll

EMMA DALY
Zagreb

The casual visitor to Zagreb could be forgiven for thinking that Franjo Tudjman, President and self-styled "Father of the Croatian Nation", was up for reelection. His jowls and fixed smile, softened by a new bow tie, are everywhere: on electronic billboards and old-fashioned posters, on state-controlled television and on calendars handed out by newspapers, sometimes in tandem with the fascist wartime leader, Ante Pavelic, but never with Tito, the most famous Croat of all.

Voters go to the polls on Sunday to elect a lower house of parliament, but the ruling HDZ party - which has swiftly rewritten the electoral laws to reap maximum advantage - knows Mr Tudjman is the only card to play. The man who led the country to independence and recovered most of the territory in rebel Serb hands by force this summer is not only popular: to most minds, he is the only leader Croatia has produced.

Mr Tudjman is determined to take his country into the European Union so determined, in fact, that he has ridden roughshod over the fundamental principles that underpin Western Europe: democracy, freedom and justice.

The HDZ, right-wing and deeply nationalistic, scores over 40 per cent in opinion polls, and is almost certain to win the elections. But the party wants a two-thirds majority that would allow it to rewrite the constitution, unfettered by any checks or balances.

A delegation from the US Democratic Party's Institute for International Affairs has identified serious flaws in the electoral process, including the reduction of seats assigned to Serbs, a huge increase in representation for expatriates - and for Bosnian Croat citizens - and unequal access to the media for opposition parties.

Following the blitzkrieg against Serb-held Krajina, which forced around 200,000

Croatian Serbs to flee, the government cut from 15 to three the number of parliamentary seats reserved for the Serb minority. "The change in the law," said the institute's report, "presupposes that Serbs who have recently left Croatia due to war conditions will not return."

Instead, 12 of the 127 seats in the lower house are to be elected by members of the fear-somely nationalistic Croatian diaspora, which bizarrely - and to the fury of the Sarajevo government - is said to include 291,000 Croats who live in Bosnia-Herzegovina and hold Bosnian citizenship.

Opposition parties have found it impossible to compete on the state-controlled airwaves: each is allowed one hour of free air time, but must answer questions set by the national network. Criticism of the government is forbidden. The network rejected one opposition party's paid advertisement on the grounds that it was "annoying".

However, the HDZ enjoys blanket coverage. Television in Croatia, where the state controls three of the four channels, is by far the most important medium, though the HDZ is also keen to shackle newspapers.

The opposition, weak and divided, restricts its campaigning to attacks on government corruption - charges to which the HDZ is vulnerable. "Tudjman is OK, he's a good man, but the HDZ is totally corrupt," one Zagreb voter said. "Eastern Slavonia [the last sliver of land still in rebel Serb hands] is not the problem here, the economy is the problem."

Foreign observers in Croatia warn that victory for the HDZ is likely to harden Zvezdan's position on eastern Slavonia and its prickly relationship with Sarajevo over the Muslim-Croat federation in Bosnia. "Instead, the ruling HDZ is likely to use its election victory to harden its negotiating position," said a foreign political analyst. "They will continue to count on the great powers' basic indifference ... and growing dependence on Croatia's democratic stability in a volatile region."

Russian troops 'to get support role'

TIM CORNWELL
Washington

The US Secretary of Defence, William Perry, and his Russian counterpart, General Pavel Grachev, met in Washington yesterday to try and fashion a role for Russian troops in a Bosnia peacekeeping force.

Presidents Bill Clinton and Boris Yeltsin, who met in New York last week at the 50th anniversary of the United Nations, agreed in theory that up to 2,000 Russian support troops would help in reconstruction efforts, airlifting supplies and clearing mines, officials have disclosed.

These troops would be separate from a Nato-led force. But Mr Perry and Gen Grachev yesterday confronted the far more sensitive issue of using Russian combat troops, with the two sides openly at loggerheads over whether they could come under Nato command.

The defence chiefs' meeting was to prepare in part for peace talks between the Presidents of Bosnia, Serbia and Croatia at an Ohio air force base next week. The US insists that any Russian peace-keepers should be integrated into the command structure of the proposed 60,000-strong Nato contingent.

But while Russian commanders have shown some eagerness to get involved, President Yeltsin has been adamant that they will not serve under Nato.

Both governments are under heavy pressure at home. Sentiment in the US Congress is running strongly against the Bosnia operation and if the Administration does not seek formal approval, some opponents are threatening to deny funding for it. Republicans, historically suspicious of putting US troops under UN or any foreign control, will be closely watching for any compromise.

The initial deal reached between Mr Clinton and Mr Yeltsin behind closed doors last week came as some surprise yesterday, but was the latest attempt to finesse a meaningful role for the Russians.

Other proposals have included a Russian-French force, or placing a Russian contingent in its own sector of Bosnia. All of them pose complicated questions of who will ultimately be in command in the event of a crisis or redeployment.

The Pentagon has been quietly working to coax the Russians into a Nato-led force. Though the peace-keeping operation can go ahead without it, Russian co-operation in Bosnia is vital to the future of Europe's military security, Administration officials believe.

Budget considerations may have influenced Mr Yeltsin's decision to opt for a non-combat role for at least a few Russian troops, the *New York Times* reported yesterday. The UN would typically foot the bill for reconstruction work, but combat forces would have to be supplied and financed from home.



Love's labour: Grandmother cares for Benjamin while their refugee family gathers wood outside Gorazde.

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مكتبة من الامم

Don King squares up to Mr Maffia

DAVID USBORNE
New York

The boxing promoter Don King, his electric-shock hairstyle an easy subject for the courtroom artists, was again in a New York courtroom yesterday, locked in battle with a former colleague called Mr Maffia.

Mr King, on trial for allegedly defrauding Lloyds of London of \$350,000 (£223,000) has been forced to put on hold plans to relaunch the career of the former heavyweight champion, Mike Tyson. He may face bigger problems, perhaps as early as next week, when the jury is asked to deliberate on the nine counts of fraud, each of which carries a maximum sentence of five years in prison and a fine of \$250,000. If Mr King is convicted, Mike Tyson, himself only recently out of prison, may have to find a new manager.

The last 13 days in the mahogany-lined courtroom of Judge Lawrence McKenna, 15 floors above the streets of downtown Manhattan, have offered some moments of theatre. There was stunned silence late on Wednesday, when the defence, seeking to discredit the key prosecution witness, Joseph Maffia, played a tape of a telephone conversation he had with Mr King.

On the tape, recorded in May 1992, Mr Maffia was heard to shout down the line twice over: "I'm going to kick your ass". When a confused-sounding but not unduly ruffled Mr King asks who is on the line, Mr Maffia responds in an extremely abusive manner.

A former controller, or chief accountant, at Don King Productions, Mr Maffia is, via the prosecution, Mr King is accused of wrongfully claiming the \$350,000 from Lloyds arising from a fight in June 1991 involving Julio Cesar Chavez that had to be cancelled after Mr Chavez cut his nose in training. Prosecutors allege that after the fight was called off, the original contract between Mr King and Mr Chavez was doctored to include a rider referring to \$350,000 in non-refundable training and maintenance costs, which were then wrapped into the insurance claim to Lloyds. Mr King allegedly wanted to the money to help cover a \$736,000 loan he had made to Mr Chavez.

Mr Maffia claimed earlier this week that he had only been able to find some \$130,000 to \$150,000 in legitimate expenses and that he had been ordered personally by Mr King to pad them out. "He instructed me to deem a portion of the \$736,000 cheque for training expenses," Mr Maffia testified.

Apparently nervous and refusing to look Mr King in the eye, Mr Maffia also explained how the final figure of the claim was arrived at. "He said, 'Put down \$150,000, \$200,000, \$250,000. I don't remember the exact figure,'" Mr Maffia testified. He said Mr King himself later settled on \$350,000.

Mr Maffia was forced to resign from Don King Productions in September 1991 and his telephone outburst apparently came after his former employer tried to have his accounting licence revoked and his mem-



Don King: Forced to put Tyson's career on hold

ployment insurance withdrawn. "I just wanted to yell at him," he explained to the court.

The tape was nonetheless a useful weapon for the defence team. Afterwards, Mr King, who has several of his minders

in the courtroom gallery who watch over him even when he visits the lavatory, seemed delighted afterwards. "Anyone can see this is a put-up job," he said to reporters.

But the prosecution was back at work yesterday, questioning Richard Hummers, who became vice president for finance at Don King Productions two months before Mr Maffia's departure and was responsible for filing the insurance claim to Lloyds. Testifying under immunity, Mr Hummers admitted that when he was preparing the claim, he had difficulty getting access to the original Chavez contract, that the prosecution said had been altered. "I don't think I was able to get the contract the first time I asked for it," he said.

According to the prosecutors, it would not have been normal for fighters' contracts to contain such a provision for non-refundable training expenses. Moreover, Mr Chavez himself testified last week that he never saw the \$350,000 that Mr King has claimed was paid to him.



Winning ways: Supporters celebrate the victory of Salim Amour, candidate of the ruling party in Zanzibar's presidential election. The result, announced yesterday, is disputed by the opposition, which claims fraud

Whitewater targets Hillary Clinton's phone

TIM CORNWELL
Washington

In a dramatic gesture that threatened to revive the flagging Whitewater investigation, Republicans on the US Senate's Whitewater committee yesterday issued a string of 49 subpoenas demanding documents and telephone records from the White House.

The move was orchestrated by Senator Alfonse D'Amato, a New York politician with a reputation for political theatrics. He appeared yesterday to be zeroing in on Hillary Clinton's activities in the days after the death of White House legal counsel, Vincent Foster.

Republicans now suggest the First Lady may have manoeuvred to block a search of Foster's office by investigators looking into his death in a Washington park, later ruled a suicide. It is something the Clintons have strongly denied.

Mr D'Amato, the committee chairman, said he would recall Mrs Clinton's chief of staff, Margaret Williams, and her close friend, Susan Thomas, to quiz them again about a flurry of phone calls between the two and Mrs Clinton's mother's home, where she was staying.

He said their testimony that they could not remember the calls was "suspect" and subpoenas were necessary because of "an obvious pattern of delay" in the White House turning over everything from e-mail messages to legal documents.

Clinton aides and Senate Democrats have derided the Republicans for turning Whitewater into a "political witch-hunt" at a time when the investigation was running out of real leads. "This is a dangerous path we are pursuing here," Senator John Kerry said.

With the 1996 presidential election campaign under way, politics is clearly a driving motive. The mention of the word subpoenas conjures up old memories of Watergate, even though the evidence of serious wrongdoing remains elusive.

White House spokesmen say they have already turned over 34,000 separate records and are being "as open as we can possibly be" with Congress and the separate investigation by an independent prosecutor based in Little Rock, Arkansas.

On the surface, however, the phone records lead to the First Lady's door. Foster's office allegedly contained documents on two issues that have embarrassed the First Family - the Whitewater real estate deal itself, and "Travelgate", when the Clintons were accused of cronyism in replacing staff at the White House travel office.

Amid all the conspiracy theories suggesting Foster was



Vince Foster: suicide investigation was blocked

murdered, and unproven rumours of everything from his supposed affair with Mrs Clinton to a Colombian drug connection, the question of why outside investigators were barred from freely searching Foster's office has been one of the few substantive issues.

Senior Justice Department officials have said publicly that on the morning of 22 July 1993, two days after Foster's death, the White House counsel, Bernice Nussbaum, who had earlier agreed to allow them access to his files, suddenly went back on the deal. Mr Nussbaum, one of the Clintons' long-time Arkansas associates, subsequently resigned.

The phone records from that day show, however, that around 8am Miss Williams, Mrs Clinton's top aide, called her in Arkansas. Soon after a call went out from there to Mrs Thomas's room at a Washington hotel. One minute after it ended Mrs Thomas placed a call to Mr Nussbaum's pager number.

Senator D'Amato, whose history of dubious dealings is legendary, ran into some ethical problems of his own yesterday. The New York Times reported that influential Washington lobbyists had gathered regularly at his home for high-stakes poker. They dubbed themselves "The Fellas".

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international

Kurdish MPs freed for 'Europe's sake'

HUGH POPE
Istanbul

Turkey's Supreme Court ordered the release of two ethnic Kurd former MPs yesterday, but upheld 15-year sentences against four others, including the Nobel Peace Prize nominee, Leyla Zana.

The court also ordered that the two released men, Ahmet Turk and Sedat Yurtas, as well as two other Kurdish leaders freed last year, should face new trials under Article 8 of the anti-terrorism law for supporting the Kurdish nationalists.

"It's a disgrace, a purely political decision," said Mahmut Alinak, released last year and the only one to regain his parliamentary seat. "My original conviction was based on fabrications by policemen and informers. It's just come make-up to look good for Europe."

The European Parliament has demanded the release of all six former MPs as a condition for ratifying a key customs union agreement with its Muslim neighbour.

Conservative Turks have resisted, saying that most of the MPs were convicted for links to rebels of the Kurdistan Workers' Party (PKK).

"They should be executed," said Nurettin Demirel, the outgoing chief prosecutor of the State Security Court system.

The Europeans have also

demanding reform of Article 8, which sets out jail terms of 2-5 years and heavy fines for "propaganda against the indivisible unity of Turkey." The government's revised version of Article 8 passed a parliamentary commission on Wednesday.

It will empower the state to close radio and TV stations from one to 15 days as a punishment, but is otherwise less onerous.

Penalties are to be reduced to one to three years in prison, "propaganda" is less broadly defined and sentences may be suspended or turned into fines.

The legislation will also be retroactive. If implemented, several of 170 writers, intellectuals and Kurdish nationalist militants may be freed from jail and many of the trials of another 5,500 people may be dropped.

"This is all there is going to be. With this, the European Parliament can make its decision in December."

At this rate, Turkey will be lucky to get Customs Union, said a European diplomat in Ankara.

Another said it was a step forward, if limited, and that the commission in Brussels still supported the free trade pact.

The Turkish establishment,

Prime Minister, Tansu Ciller, is supposed to form a coalition government with the Social Democrats by 5 November or fall. Parliament yesterday discussed a bid to set an early election date of 24 December.

Politicians are prisoners of their rhetorical demands for the earliest election possible, yet the date is one that none of the well-paid parliamentarians really wants.

Any date before the spring is also probably unachievable, given the millions of names in Turkey and abroad that must be added to electoral rolls, and therefore is likely to be thrown out by the Constitutional Court.

"There's no flour and sugar, yet you want us to make *halva*," said an exasperated Nihat Yavuz, head of the Supreme Election Board.

Mrs Ciller did have some good news yesterday as she finally settled a five-week-old strike by up to half of Turkey's 600,000 public sector workers. She will now have to find the money to pay for that and an equally generous deal with 1.5 million civil servants, at the same time as sticking to an IMF-ordered programme to cure annual inflation now ticking up over 90 per cent.

But that little problem, like most things in today's turbulent Turkey, is something everyone seems happy to leave to tomorrow.



Freedom trail: Kurdish MPs Sirri Sakik and Mahmut Alinak (right) after hearing two colleagues are to be released

Keating's republic under attack

ROBERT MILLIKEN
Sydney

Confessing that he finds the Queen "a consoling figure", Bill Hayden, Australia's Governor-General, waded into controversy again yesterday when he attacked the government's plans for a republic on grounds that it could make proper government unworkable.

Mr Hayden, a former Labor government minister, and unequipped republican himself, has come under fire recently for breaking the convention that the Queen's Australian representative, like the monarch herself, does not comment on public issues. He has made speeches supporting euthanasia, same-sex marriages and free markets, and has been unimpeached in expressing his views about Australia's constitutional future.

In an interview yesterday with the *Sydney Morning Herald*, Mr Hayden inflamed republicans, who regard him as a turncoat for sounding warning bells against the plan by Paul Keating, the Labor Prime Minister, to hold a referendum on the monarchy by 2001. Mr Hayden directed his main criticism at the government proposal for the Queen to be replaced by a president elected by a two-thirds majority of both houses of the federal parliament.

This, he said, could run into "very serious pitfalls" if the elected president turned out to be a "populist opportunist" who could make the proper process of government "difficult to sustain".

Mr Hayden also referred to an attack on him last week in the *Telegraph Mirror*, a daily Sydney tabloid owned by Rupert Murdoch, which claimed that Mr Hayden's spending on travel and entertaining had become excessive. He rejected the charge, saying that spending had fallen by 3 per cent a year in real terms since he moved into the Governor-General's Canberra residence seven years ago.

He had little doubt that recent attacks on his vice-regal lifestyle were linked to the Labour Party's dismay over his failure to keep his views on a republic to himself. He said: "I'll tell [the Queen] how bitterly unfairly I have been treated."

Villagers slaughtered by Tamil Tiger women

TIM MCGIRK
New Delhi

Led by "an elderly fat woman", 300 Tamil women guerrillas descended on a village in northern Sri Lanka before dawn yesterday and silently massacred 24 people with knives, many of them sleeping women and children. The slaughter is being interpreted by Colombo as an attempt to lure troops away from the siege of the Tamils' northern stronghold of Jaffna.

The victims were Sinhalese Buddhists, the ethnic majority in Sri Lanka. Colombo is locked into an ethnic war against revolutionaries, who control the northern side of the island. Raiders also attacked other Sinhalese villages over the past

five days, killing 115 civilians.

An army spokesman said the government may arm Sinhalese who are in the battle zone. The army has poured 30,000 troops into the Jaffna peninsula to try to dislodge the Tamil Tigers from their base in Jaffna, a town of 500,000 people.

Military experts say the guerrillas, who for a decade had maintained their own fortress-state on the peninsula, are trying to draw government troops away. About 425 guerrillas — many of them children of 11 and 12 — were killed and 500 wounded in the army's eight-day offensive. Thousands of Tamils are said to be fleeing the fighting and the Tamil Tiger leader, Velupillai Prabhakaran, is reported to have fled to a jungle

hide-out. The heavy death-toll has begun to cripple the Tamil Tigers, who are outnumbered by the government troops by about four to one.

Until now, the guerrillas only took volunteers. But after the latest casualties they are calling on parents to send their boys and girls into battle. "Your country of Tamil Eelam needs you. To save our land we need reinforcements," the Tamil Tigers urged in a radio broadcast recently.

The army has fought its way close to Jaffna town but the government seems to be hesitating before moving any closer. An all-out attack on Jaffna could trap thousands of helpless civilians in the cross-fire, according to aid agencies.

Dead babies cast shadow over Japan

RICHARD LLOYD PARRY
Tokyo

"The newspapers and TV claimed that the whole place stank terribly," said the landlord of the small apartment building. "But there was no smell at all. In the messiest room I found a bag, and it was only when I opened it that the smell came out, and after that — horror."

It was left to the police and pathologists to work out exactly what the horror was: the bodies of seven babies, carefully sealed in vinyl bags.

The cheap apartment in the anonymous dormitory town of Kashiwa, north-east of Tokyo, had been rented by a local taxi driver and his wife. Last June she died suddenly of uterine cancer. Two months later her husband disappeared, leaving 10

months rent unpaid. The woman had never appeared remotely pregnant, according to neighbours, in the nine years that the couple had lived in the apartment.

The bodies, moreover, were judged to have been dead for at least a decade. The mysterious couple had apparently moved to their new home carrying with them a bag of dead babies.

It seemed like a ghastly freak occurrence — until last weekend, when an equally grim and incredible discovery was made in a company nursery in Tokyo.

An employee called the police, noticing a strange smell in the building. Inside a closet were found five paper bags containing eight infant corpses wrapped in plastic, ranging in age from a few days to a few months.

Yukiko Mikami, a married 43-year-old mother of two daughters, had worked in the crèche as a part-time nurse until last year. She was immediately arrested. Mikami confessed and was charged with abandoning the babies. Yesterday, two more tiny bodies were discovered in a trunk at her home. She told police that all the children were her own.

What do these two dreadful incidents mean? Infanticide has never appeared to be a particular problem in modern Japan, although during the famines of the feudal period it was common for children to be smothered, or exposed, simply to conserve food for their older siblings.

These days the rate of infant abortion is low, but the figure is believed to be much

higher, largely because the lack of efficient contraception.

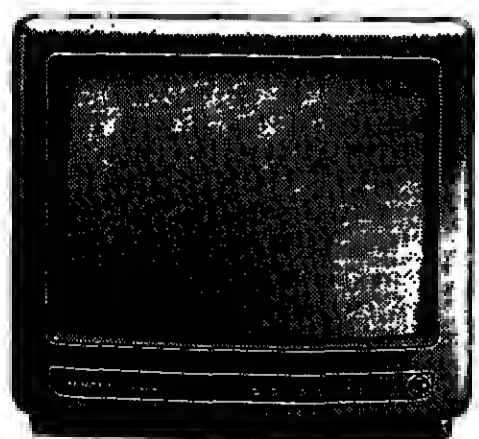
Japanese Buddhism has a special deity, Jizo, who is believed to watch over and protect the souls of the *mizuko* — miscarried or aborted children — and most neighbourhoods contain a small shrine to him, pathetically adorned with offerings of toys, sweets and baby clothes.

Details of both cases have still not emerged, and when they do, will no doubt be thoroughly picked over by Japan's sensational weekly magazines.

The most obvious conclusion is that Japanese society is rapidly becoming as splintered and alienated as that of most industrialised countries — a place where 18 babies can be born, left to die, and remain completely unnoticed.

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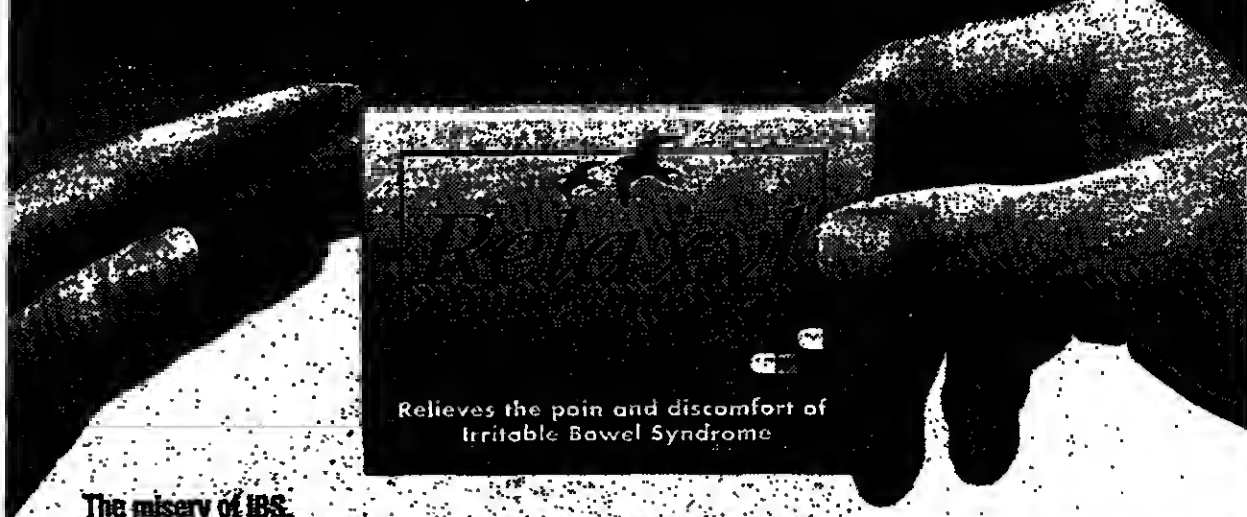
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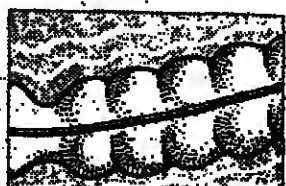
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obituaries / gazette

Bobby Riggs

Bobby Riggs was one of the most colourful and compelling characters ever to play the game of tennis, a gambler who stood off the court who understood the on-court percentages better than anyone, an amiable prankster who was enamoured with competition and explored every avenue leading to triumph. He was one of the leading American players to come along in the first half of the century, and he had a record of remarkable consistency. Riggs was Wimbledon champion in 1939, twice the United States champion at Forest Hills, in 1939 and 1941, and a three-time US Professional champion in the 1940s.

Furthermore, he was twice the top-ranked American in the late 1930s and early 1940s, and an able representative of the United States in Davis Cup competition. By the end of the 1940s, when he was still only in his early thirties, Riggs quit playing professional tennis, becoming a promoter for the tour and signing other competitors to contracts. Later, he captured an immense collection of US National senior events (for

players over 45) in the US. But while he had been a superb strategist and an admirable champion in his prime, it was not until he reached the ripe old age of 55 that he gained his greatest prominence.

Always a terrific showman, he challenged the world No 1 woman player, Margaret Smith Court, to a challenge match on Mother's Day in 1973, and the shy Californian won this match with his shy Australian opponent before they even walked on court outside San Diego, California. Riggs presented Court with a bouquet of flowers at the match, then proceeded to toy with an entirely apprehensive adversary who could not handle the pressure. Riggs moved swiftly and easily to a 6-2, 6-1 victory. And that set the stage for his legendary "Battle of the Sexes" with Billie Jean King at the Astrodome in Houston, Texas on 20 September 1973. Probably no match has done more to heighten the popularity of the game than this intriguing confrontation. Many authorities believed the wily Riggs would prevail since Court was the best player in the world

of women's tennis with King a cut behind at No 2. For months leading up to the contest, Riggs was featured on magazine covers, seen ceaselessly on television talk shows, and heard on every radio station from coast to coast in America. Had he won, he might have continued to compete against top women players for some time to come, but it was King who rose to the occasion and she took Riggs apart 6-4, 6-3, 6-3 in a devastatingly efficient and imposing performance. When it was over - and right up until this day - close followers of the sport and fellow players have accused Riggs of deliberately losing, but he insisted that was not the case.

As he told World Tennis magazine in 1990 "I didn't let Billie Jean win. I bet on that match and I bet on Bobby Riggs and I lost. The truth of the matter is I did not play a good match. If I had won I could have had a rematch. It was a bitter, bitter defeat. Throwing the match couldn't be further from the truth. Losing to her was the most disappointing, disheartening experience of my life. I underestimated her and overestimated myself."

Much more often than not, Riggs had a keen instinct for what he could or could not accomplish. Coming to Wimbledon for the first time in 1939, he was convinced he could sweep the singles, doubles, and mixed doubles. After a successful run in the junior ranks, he had risen steadily in men's amateur tennis. At 16 he had his first win, over his countryman Frank Shields. By the time he was 18, Riggs was the fourth-best player in the US, and in 1937 and 1938 he was the US No 2 behind Don Budge. On his debut at Wimbledon Riggs placed bets that he would take all three titles, and stood to win



The most underrated champion in the history of tennis: Riggs on his way to victory in the men's singles final at Wimbledon, 1939

more than \$100,000. Somehow undaunted by the enormous pressure he had placed on himself to live up to those large expectations, he became the only player ever to realise the aspiration of taking the Wimbledon triple on his first attempt, joining his countryman Elwood Cooke for the men's doubles title and partnering his countrywoman Alice Marble to the mixed doubles crown. But his vast financial gain was squandered swiftly as he lost it all on other gambling pursuits. At 21, Riggs had learnt a hard lesson - he had battled the disease bravely for seven years - Riggs was given a high honour at the tennis club he owned in Cardiff-by-the-Sea, California. With a sterling collection of

great players assembled, a sculpture of the Riggs of 1939 was unveiled, and it was announced that the Bobby Riggs Tennis Museum and Foundation would open there this December. Kramer attended that ceremony, as did Pancho Gonzalez, Fanchio Segura, Vic Seixas, Ales Ornedo, Ted Schroeder and other notable names. Riggs was buoyant as he talked about leaving behind his scrapbooks and trophies and other memorabilia, and delighted that the public would remember him and recognise what he accomplished and who he was.

As he spoke effusively about the museum and his legacy, Riggs concluded, "People will be able to see all of the stuff that

I was able to win in a lifetime of tennis and I hope they will enjoy it. And I hope they will remember me as a guy who didn't ask for any quarter and didn't give any, who felt that on any given day he could beat anybody. I want to be remembered as a winner."

Steve Flink

Robert Larimore Riggs, tennis player: born Los Angeles 25 February 1918; member, US Davis Cup team 1938-39; Wimbledon Singles Champion 1939; Doubles Champion 1939; US Singles Champion 1939, 1941; US Mixed Doubles Champion 1940; twice married (four sons, one daughter); died Leucadia, California 25 October 1995.



Riggs with Billie Jean King after she had beaten him 6-4, 6-3, 6-3 in the "Battle of the Sexes" match, Houston Astrodome 1973

Emile Jonaissant

In a life spanning 82 years, Emile Jonaissant had his five months of fame. He was the *de facto* President of Haiti appointed in May 1994 by the military junta that had overthrown the elected President Jean-Bertrand Aristide three years earlier. By October, the generals had been ousted by a peaceful US military occupation and Jonaissant had retired.

He will no doubt be remembered as a misguided patriot who backed the wrong horse - the junta - against the Americans and Aristide, who returned to Haiti in glory once the generals had fled.

But Jonaissant in fact played a key role in sparing his country what would have been a swift but bloody US invasion on the night of 18-19 September 1994.

Jonaissant was born in the north-western town of Port-de-Paix. He studied Greco-Latin culture and was elected Haiti's youngest-ever senator at the age of 37 in 1950, before the years of the Duvalier dynasty. He was little-known during the Duvalier years, working as a classics professor, a judge and eventually a Supreme Court justice.

After the younger Duvalier, Jean-Claude ("Baby Doc"), was forced into exile in February 1986, Jonaissant was appointed by the interim military ruler Lt-Gen Henri Namphy as President of the Constituent Assembly that drew up a new constitution in 1987. He then served in the State Council, a body of wise men that helped guide Haiti towards new elec-

tions in 1990, won by Aristide. When Lt-Gen Raul Cedras, leader of the 1991 coup that toppled Aristide, appointed Jonaissant provisional President of Haiti on 11 May 1994 - an appointment never recognised abroad - it was precisely for his honourable reputation, to give the generals an air of legitimacy. Angered by US threats of intervention, the "President" grew into the nationalistic role which led to his being branded a traitor by the Aristide camp.

Not everyone agreed. Opponents of Aristide were delighted when, in a rambling Creole speech in the small hours of 11 June 1994 - sprinkled with voodoo references - the *de facto* President declared a state of emergency and asked Haitians to fight to the death against any American intervention. "If they thought we had an atomic bomb, they would respect us. Haiti does not have an atomic bomb but it has better protection than that," he said, in a clear reference to voodoo spirits.

Jonaissant was, in fact, known to Haitians as "Agou", the name of a voodoo God, because of his habit of using the phrase "if Agou wills..."

For one brief moment, at nightfall on Sunday 18 September 1994, Jonaissant was the focus of world attention. The US negotiators Jimmy Carter, General Colin Powell and Senator Sam Nunn had failed to persuade the junta to step down. President Bill Clinton ordered an invasion to begin. US paratroopers were in the air.

In a last-minute gamble, the three Americans went to the Presidential palace and cut a deal with Jonaissant - even though he was never recognised as President - under which the invasion became a peaceful occupation the following morning. "When he realised his countrymen were going to die, he singled-handedly stopped the invasion," said his long-time friend Aubelin Jolicoeur, a legendary Haitian who was Graham Greene's prototype for the character Petitpierre in the novel *The Comedians*. "He was the most honourable man I ever met. The fate of great men is to do great things without being recognised."

Phil Davison

Emile Jonaissant, teacher, lawyer, politician: born Port-de-Paix, Haiti 1913; President of Haiti May-October 1994; died 24 October 1995.



Jonaissant: "If Agou wills..."

Shannon Hoon



Hoon: "I'd try to be invisible"

Photograph: Pete Cronin / Koda

The rock band Blind Melon's last show in Britain was at the Mean Fiddler club in London on 8 September. Shannon Hoon, the lead singer, appeared on stage wearing a false moustache and glasses, and a red, flashing clown's nose. He looked like a man with an insatiable lust for life. It is the image by which he will be best remembered.

Hoon was born in Lafayette, Indiana in 1967. Lafayette was, he said, "a small, repressed community. You're able to live your whole life there and really be quite comfortable, but I wanted to see more." He initially took out his frustrations on the sports field in high school, but turned towards music. When he was 18, he packed a small car full of his belongings and drove cross-country to Los Angeles, ostensibly to broaden his horizons, but also with the notion of finding and joining a rock band at the back of his mind.

When Hoon arrived on the West Coast, he had nowhere to live and nothing to do. To begin with, he spent his time people-watching. "I'd try to be invisible and zoom in on people and eavesdrop on their conversations," he recalled.

The first people Hoon actually met in California were also small-town exiles - Roger Stevens, Christopher Thorn, Brad Smith and Glen Graham. Together, they formed Blind Melon in 1990, taking their inspiration from America's leading musical outlaws of the Sixties, the Grateful Dead and

the Allman Brothers, and adding a spiky edge that recalled the hugely influential alternative band Jane's Addiction.

The quintet were signed to Capitol Records, and made their first record in Seattle. Hoon also accepted an offer from his childhood friend the Guns 'N' Roses frontman Axl Rose, to sing backing vocals on their single "Don't Cry", and appear in the subsequent video. By the end of 1993, Blind Melon were MTV stars in their own right. Their debut album, *Blind Melon*, had sold more than 2 million copies in the United

States, propelled by the jaunty "No Rain" video, which featured the "Bee Girl", who appeared on their album sleeves and with whom the band were to become synonymous.

Their success kept them on tour for two years, which pushed the increasingly fragile Hoon to breaking point. A genuinely likeable and approachable human being, he was acutely aware of the many absurdities of the music business, and became progressively more uncomfortable when he was confronted with them. When the band finally came

off the road, after cancelling a handful of European shows, the "wheels had come off the vehicle", as Hoon later put it. The singer, who had publicly acknowledged his drug problems, went through at least two rehabilitation programmes.

But when Blind Melon re-emerged earlier this year, after making their second album, *Soup*, in New Orleans, Hoon sounded happy about the present, and optimistic for the future. He was proud of the record and elated at the news that he was to become a father. It had, he said, given his life a whole new meaning.

Soup had been less well received than its predecessor. Its dark, initially impenetrable songs couldn't have been further out of synch with the current fashion for re-packaged and instantly digestible punk rock. Lyrically, too, it was a moving, often claustrophobic vision of personal breakdown and dysfunctional family life, rather than a series of teen angst sound bites.

Hoon's girlfriend, Lisa Crouse, gave birth to a daughter, Nico Blue, in May. Shannon moved his new family back to Lafayette, before reluctantly having to leave them to go on tour once more. He died last Saturday in New Orleans, of a suspected drug overdose.

Paul Rees

Richard Shannon Hoon, singer: born Lafayette, Indiana 26 September 1967; died New Orleans 21 October 1995.

Count Jan Badeni

Jan Badeni was one of the few Poles stranded in Britain at the end of the Second World War to succeed in making a new life for himself on British terms. Yet the future High Sheriff of Wiltshire's first contact with his country-to-be was inauspicious: he was thrown into jail as a suspicious alien by the first British official he ever met.

He was 18 years old in September 1939, when he and his family drove into Hungary to avoid the German and Soviet invasions. As one of the family had been Prime Minister of the Austro-Hungarian Empire, Hungary was familiar territory to the Badenis, and they were permitted to stay. But in late 1940 Jan Badeni decided to join the Polish forces forming up in Palestine to fight alongside the British. He obtained Hungarian papers which were endorsed by the British Ambassador.

Everything went swimmingly until he reached the port of Haifa in 1941. A young man speaking three languages and travelling on unwelcome false papers was too much for the British intelligence men on the spot. Even his name did not sound very Polish to them (although they did originate in northern Italy). The Badenis were listed in the ranks of the Polish nobility as early as 1563. To be on the safe side, they incarcerated him in the picturesque Crusader fortress of Acre, where he moulder for four months.

After his release, Badeni joined the Polish forces of General Anders, serving at the Cairo HQ and also in the desert with the Carpathian Lancers. He then volunteered for training as a pilot in the Polish Air Force, and was awarded his wings in 1943. He flew with Coastal Command until the end of the war, and then transferred to the RAF. He flew helicopters during the emergency in Malaya, lifting a great number of casualties from the jungle. Back in Britain, he was given command of two helicopter squadrons, and responsibility for search and rescue along the entire east coast. He retired from the service in 1962, after being awarded a commendation by the Queen for valuable services in the air.

In 1956 he married June Wilson, the daughter of a Wiltshire landowner, whom he met while stationed at RAF Halloway, and he later settled in her home. He started out in civilian life as a stockbroker, and showed remarkable flair. He sat as director on the boards of a number of public companies, and became a wealthy man. Towards the end of his life, he devoted more and more of his time and his wealth to voluntary work, mainly for Polish charities and cultural organisations all of which benefited as much from his sound advice as from his extraordinary generosity.

Badeni was greatly esteemed both in the City of London and in Polish circles. A tall handsome man with an aristocratic bearing, he commanded respect rather than camaraderie. Indeed, many who knew him well marvelled at how someone who never touched alcohol, who refused to be called by his Christian name, and who winced at bad language, could have survived 20 years in the RAF. This in itself was something of an achievement.

Adam Zamoyski

Jan Badeni, businessman, air force officer: born Lwow, Poland 15 February 1921; married 1956 June Wilson (one son, one daughter); died Bath 25 October 1995.

Births, Marriages & Deaths

BIRTHS

THOMPSON: On 24 October 1995, to Paula (née Donaghy) and Rhodri, a son, Patrick Rhodri George, a brother for Donagh.

DEATHS

PIKE: On 24 October 1995, suddenly, David F. Buyl Pike OBE, aged 83 years, devoted husband of Felicia. Much loved by his step-family, his children Julie, Morna, Christine and Tom, their late mother Jill and his many grandchildren. He will be greatly missed by all who knew him. Funeral service at St Mary's Church, Halloway, on Friday 3 November at 11.30pm, followed by private cremation. All are welcome at the Church. Strictly no flowers at his request but donations in his memory may be made in the Leukemia Research Fund. Inquiries to Halloway Funeral Services 01323 440909.

MEMORIAL SERVICES

BATESON: A memorial service in remembrance of Andrew James Bateson QC will take place at the Temple Church, Inner Temple Lane, London EC4A, on 16 November 1995 at 5pm.

Announcements for Gazette BIRTHS, MARRIAGES & DEATHS (Births, Adoptions, Marriages, Deaths, Memorial services, Wedding anniversaries, in Memoriam) should be sent in writing to the Gazette Editor, The Independent, 1 Canada Square, Canary Wharf, London E14 3DL, telephoned to 0171-293 2011 or faxed to 0171-293 2010, and are charged at £6.50 a line (VAT extra).

Forthcoming marriages

Mr S. L. Davies and Miss A. L. Baker. The engagement is announced between the elder son of Mr and Mrs M. L. Davies, of Wednesfield, West Midlands, and Anna, elder daughter of Dr David and Monica Baker, of Basingham, Lincoln.

Birthdays

Lord Ashton, former ambassador to Korea, 79; Lady Baden-Powell, former Girl Guide Chief Commissioner, 99; M Jean-Pierre Cassel, actor, 63; Mr John Cleave, actor, 56; Vice-Admiral Sir John Cox, director, Sound Alive, 67; Dr John Dingle, president, Hughes Hall, Cambridge, 68; Sir Paul Fox, former managing director, BBC Network Television, 70; Sir Glen Hoddle, footballer, 38; Sir John Hunt MP, 86; Lt-Gen Sir Macleod Johnston, former deputy Chief of Defence Staff, 66; Sir Raymond Johnstone, former chairman, Forestry Commission, 66; Admiral Sir John Kerr, former Commander-in-Chief, Naval Home Command, 58; Mr Simon Le Bon, rock singer, 37; Maj-Gen Henry Lizard, 85; Mr Roy Lichtenstein, pop art painter, 72; Mr Peter Martins, dancer and choreographer, 50; Sir Anthony Meyer, former MP, 75; Mr Lawrence Neal, former chairman, Daniel Neal & Sons Ltd, 100; Sir Frank Roberts, former diplomat, 88; Mr Leonard Roman, painter and former tutor, Royal College of Art, 82; Lt-Col Walter Ross, Comptroller, Lord Chamberlain's Office, 52; Miss Monica Sims, director of production, Channel 5, Film and Television Founda-

tion, 70; Professor Barry Supple, director, Leverhulme Trust, 65; Mr Chris Tavaré, cricketer, 41; Dr Alan Tyson, musicologist and psychoanalyst, 69; Air Chief Marshal Sir John Willis, Vice Chief of the Defence Staff, 58; Mr Andrew Wilson, author and literary editor, 45; Miss Teresa Wright, actress, 77.

Anniversaries

Births: Desiderius Erasmus (Gherard Gherhards), scholar and humanist, 1466; Captain James Cook, naval officer and explorer, 1728; Enid Bagnold, novelist, 1889; Dylan Marlais Thomas, poet, 1914; Sylvia Plath, poet, 1932; Desiderius Ivan III (the Great), Tsar of Russia, 1505; Laocöles Abercrombie, writer and critic, 1938; Lieke Meitner, nuclear physicist, 1908; James Mollison Cain, novelist, 1977. On this day the Cavaliers played the Roundheads in the Battle of Newbury, 1644; the *Liverpool Echo* was first published, 1879; the New York Subway was opened, 1904; the headquarters of the League of Nations was moved from London to Geneva, 1920. Today is the Feast Day of St Frumentius of Ethiopia and St Otmar or Othmar of Iona.

Dinners

Hong Kong Trade Development Council. Dr Victor K. Fung, Chairman, Hong Kong Trade Development Council, hosted the annual dinner held yesterday evening at the Dorchester Hotel, London W1. Mr Michael Heseltine MP, Deputy Prime Minister and First Secretary of State, and Mr Christopher Paton, Governor of Hong Kong, were the guests of honour.

British Red Cross

The Princess of Wales, Patron, British Red Cross 125th Birthday Appeal, was the guest of honour at the Royal Gala Premier of *Hannet*, at the Empire, Leicester Square, London W1, in aid of the Appeal and the European Anorexia Trust. A dinner was held afterwards at Café Nico, London W1. Mr Anthony Andrews, Mr Sheridan Morley and Mr John F. Gray, were the speakers.

Synagogue services

Details of synagogue services to be held tomorrow may be obtained by telephoning the following. Sabbath begins in London at 4.28pm. United Synagogue: 0171-387 4300. Federation of Synagogues: 0181-282 2263. Union of Liberal and Progressive Synagogues: 0171-590 1663. Reform Synagogue of Great Britain: 0181-349 4251. Spanish and Portuguese Jews Synagogue: 0171-289 2573. New London Synagogue (Masorti): 0171-328 1026.

ROYAL ENGAGEMENTS

The Queen, Patron, attended the closing session of the National Conference of the Leonard Cheshire Foundation in the Pavilion, Ascot Racecourse, Berkshire. The Duke of York, Colonel-in-Chief, attended the Staff Officers' Dinner and Luncheon Club at Talland Chancellors' Hall, London EC4. Princess Margaret attends a Gala Evening at Cade Howard, North Yorkshire, in aid of the Northern Police Constabulary Home.

Changing of the Guard

The Household Cavalry Mounted Regiment mounts the Queen's Life Guard at Horse Guards, 1pm; 7 Company Coldstream Guards mount the Queen's Guard at Buckingham Palace, 11.30am, until provided by the Irish Guards.

Document production order wrongly made

LAW REPORT

27 October 1995

Region v Derby Magistrates' Court, ex parte B; House of Lords (Lord Keith of Kinkaid, Lord Mustill, Lord Taylor of Goshford, Lord Chief Justice, Lord Lloyd of Berwick and Lord Nicholls of Birkenhead); 19 October 1995

A witness summons under section 97 of the Magistrates' Courts Act 1980 compelling production by a prosecution witness of documents which might contain previous inconsistent statements by the witness should not be granted where the purpose was to obtain discovery of documents for possible use in cross-examination by the defence. If documents in a witness summons are confidential communications between solicitor and client and protected by legal professional privilege, they cannot be produced if the client does not waive his privilege since the privilege is absolute.

The House of Lords allowed appeals by the appellant, B, from the decision of the Derby Stipendiary Magistrate, affirmed by the Queen's Bench Divisional Court, to issue witness summonses ordering B and his solicitors to produce privileged documents.

B was arrested for the murder of a 16-year-old girl and

made a statement admitting sole responsibility for the murder. He was charged with murder. B later gave a second account alleging that, although he was present at the murder, his stepfather had killed the girl. At his trial he relied on his second account and was acquitted. The stepfather was arrested and charged with murder. During committal proceedings against the stepfather, B gave evidence for the Crown. When cross-examined he admitted giving a first account and changing his story. He was asked about the instructions he had given his solicitors between his first and second accounts. B declined to waive legal professional privilege.

The stipendiary magistrate issued the summonses on the basis that (1) his duty under section 97 to issue a summons was like the prosecution's duty of disclosure and if the documents contained previous inconsistent statements they were material evidence and (2) the public interest which protected confidential communication between solicitor and client was outweighed by the public in-

terest in making all relevant evidence available to the defence. *Robert Francis QC and Edward Cousins QC* (Hunt & Coles, Peterborough) for B; *Jonathan Goldberg QC and Joanna Greenburg* (Green D'Sa, Leicester) for the stepfather; *Stephen Richards and Nicholas Hillard* (Treasury Solicitor) as amici curiae; *Patrick Upward* (CPS) for the Crown.

Lord Taylor CJ said that the use of previous inconsistent statements was governed by sections 4 and 5 of the Criminal Procedure Act 1865 (Lord Denman's Act). Lord Denman's Act contemplated cross-examination of the witness on the basis of a statement in his hand so that the procedure culminating in the document becoming admissible could begin. Section 97 contemplated the production by a witness of documents which were immediately admissible *per se*. Section 97 could not be used to obtain discovery. That was primarily what was sought here. The documents were not in the possession of the prosecution but of a third party. The summonses ought not to have been granted under section 97.

If the conditions for issuing a summons under section 97 were satisfied, the question arose whether the stipendiary magistrate was obliged to weigh competing public interests, following *R v Asquith* [1988] QB 798. Legal professional privilege was that of the client which he alone could waive. The principle that ran through all the cases was that a man must be able to consult his lawyer in confidence, since otherwise he might hold back half the truth. Legal professional privilege was a fundamental condition on which the administration of justice as a whole rested.

The privilege could be modified, or even abrogated, by statute, subject always to the objection that legal professional privilege was a fundamental human right. Once an exception to the general rule was allowed, the client's confidence was necessarily lost.

No exception should be allowed to the absolute nature of legal professional privilege, once established. *R v Asquith* was overruled.

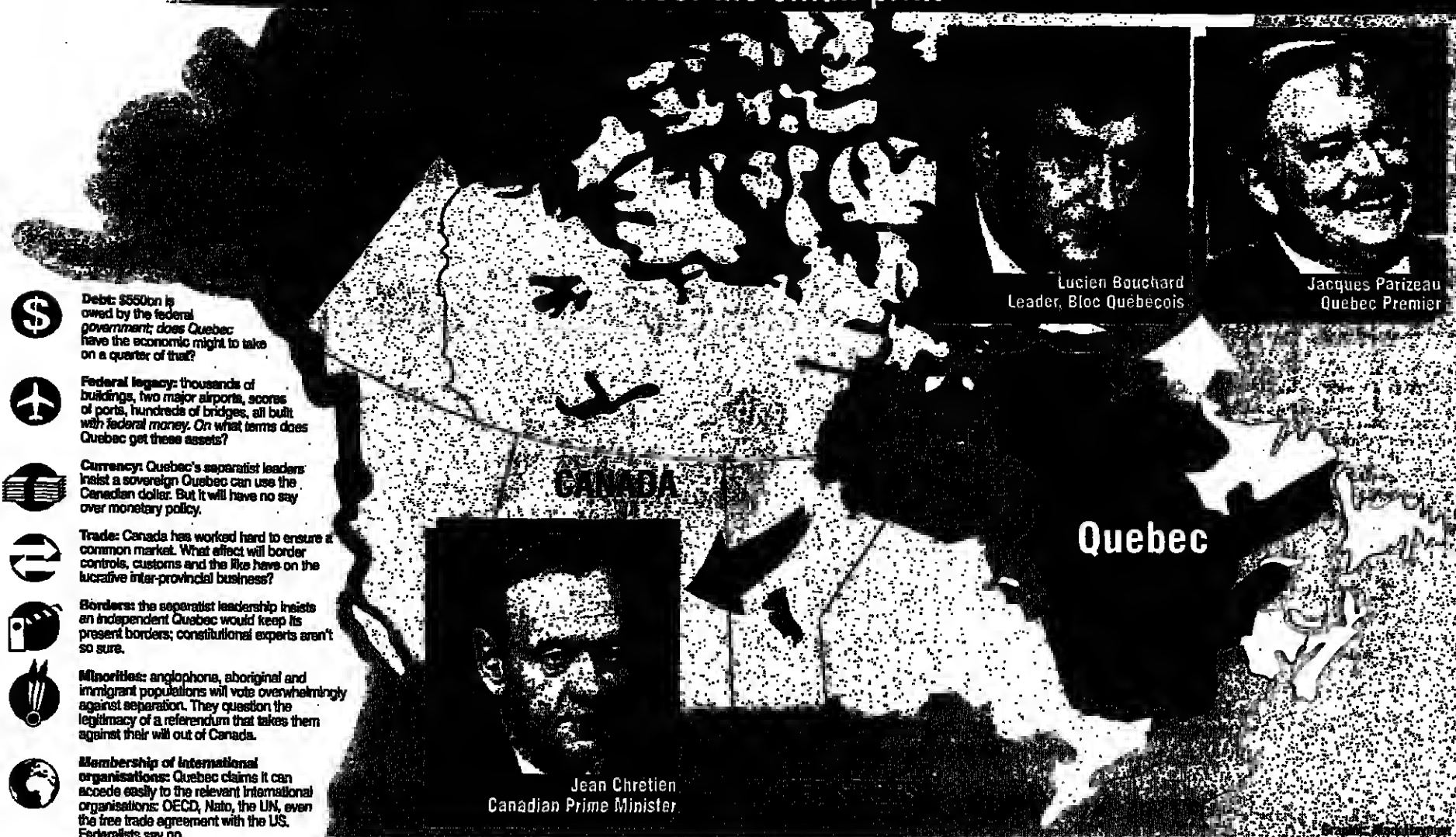
Lord Lloyd and Lord Nicholls concurred. Lord Keith and Lord Mustill agreed.

Ying Hai Tan, Barrister

On Monday a provincial referendum will decide Canada's future. The stakes have never been higher, says Mathew Horsman

If Quebec splits, the tremors will be global

Divorce: the small print



- Debt: \$550m is owed by the federal government; does Quebec have the economic might to take on a quarter of that?
- Federal legacy: thousands of buildings, two major airports, scores of ports, hundreds of bridges, all built with federal money. Or what terms does Quebec get these assets?
- Currency: Quebec's separatist leaders insist a sovereign Quebec can use the Canadian dollar. But it will have no say over monetary policy.
- Trade: Canada has worked hard to ensure a common market. What effect will border controls, customs and the like have on the lucrative inter-provincial business?
- Borders: the separatist leadership insists an independent Quebec would keep its present borders; constitutional experts aren't so sure.
- Minorities: anglophone, aboriginal and immigrant populations will vote overwhelmingly against separation. They question the legitimacy of a referendum that takes them against their will out of Canada.
- Membership of international organisations: Quebec claims it can accede easily to the relevant international organisations: OECD, Nato, the UN, even the free trade agreement with the US. Federalists say no.

History of an uneasy union

- 1867:** British North America Act. Upper (Anglo) and Lower (French) Canada are united in a confederation that by 1949 included 10 provinces and two territories, with a balance of powers struck between the federal and provincial governments.
- 1912:** Statutes of Westminster. Like other British Commonwealth holdings, Canada gets a greater degree of autonomy, shared between the federal and provincial governments.
- 1941:** The Conscription Crisis. Quebec does not want its sons to fight Britain's war, but Canada insists.
- 1970s:** emergence of new funding arrangements, including the creation of an equalisation system to smooth out regional variations in welfare, education and health.
- 1971:** Victoria Conference, when Quebec premier Robert Bourassa outlines Quebec's historic demands for being treated differently from the rest of Canada. Prime Minister Pierre Trudeau introduces the Official Languages Act, an attempt to make Quebecers and anglophone Canadians feel welcome across the country. All federal agencies would henceforth offer service in either official language, and millions of Canadian students would be paid to learn the other official language.
- 1976:** René Lévesque, Quebec's first separatist premier, is elected. The infamous Bill 101 is introduced, mandating French as the official language of Quebec and restricting access to English schools and the use of English on commercial signs.
- 1980:** Quebec says no in a referendum to a request by the government to be given a mandate to negotiate a new constitutional arrangement with the rest of Canada. The federalists promise to attend to Quebec's needs by patriating the constitution to Canada from Britain.
- 1982:** the constitution is patriated to Canada and a new amending formula agreed, with the support of nine out of 10 provinces. Quebec doesn't sign, and feels betrayed when the Supreme Court allows the project to go ahead.
- 1987:** Prime Minister Brian Mulroney negotiates the Meech Lake Accord, which gives Quebec a constitutional recognition as a "distinct society" within Canada and confers additional powers on Quebec and, by extension, other provinces. Filling in Manitoba and the opposition of Newfoundland premier Clyde Wells kills the deal.
- 1992:** Charlottetown Accord, a "super Meech Lake," is put to all Canadians in a referendum. They reject it, not only in Quebec but in many provinces.
- 1995:** Quebec government launches the latest "sovereignty" referendum, with the most recent polls suggesting that 50 per cent will vote "yes".

Quebec is poised - again - to leave Canada. If it does, and polls say the outcome is too close to call, it will mean the most radical redrawing of the Western world's map since the Second World War.

Fully a quarter of Canada's population would go. Nearly \$170bn of goods and services generated yearly would no longer come into Canada's accounts. The rump of Canada would be divided in two, with the tiny maritime provinces physically cut off from their co-citizens in Ontario and the west.

The prospect has unsettled financial markets; pushed the Canadian dollar lower and convinced many Quebecers to shift their savings to banks outside the province. The most alarmed among the population predict an economic meltdown, not just for the departing Quebec but for the rest of Canada.

Worse, they feel, any subsequent negotiation between an independent Quebec and the rump of Canada would create insurmountable tensions. For a start, it is not even clear who would represent Canada in any talks. The Prime Minister is

Jean Chrétien, a Quebecer. He represents a Quebec riding. Seventy-five seats in the House of Commons are held by Quebec politicians. In a country where the relationship between the provinces and the centre is usually tense, who would speak for the rest of Canada in any negotiation with Quebec on the terms of divorce?

Yet despite all these worries, fully half of Quebecers (and a majority of the Francophone voters) are telling pollsters they will vote "Yes". If they prevail, Quebec will take up to a year to negotiate the terms of the split. If the negotiations prove fruitless, unilateral independence will be declared. Legal or not, few expect any attempt - in the courts or through more violent means - to halt the process.

The two key figures on the separatist side are a study in contrasts. Jacques Parizeau, the Quebec premier, is a patrician gentleman with an English accent procured during a stint at the London School of Economics. Blunt and sometimes bizarre in his public utterances, he is not as popular in Quebec as his cause. Lucien Bouchard,

the former Tory turned sovereignist, leads the mighty Bloc Québécois, the official opposition in Ottawa, dedicated to Quebec independence. A bout with the flesh-eating bacteria cost him a leg but gained him nearly mythical status in Quebec. He appeals to the "ordinary Quebecer" with his mix of plain speaking, passion and pithy turns of phrase. The cause they espouse has the support of half the province's population, a figure that shocks the rest of Canada.

Why do so many Quebecers want to go? What can be wrong with a country that tops international competitiveness sur-

veys, that boasts one of the world's best-educated workforces and a universal, affordable health care system? Why would a people so blessed by natural resource wealth, a modern transportation system, a massive market on its very doorstep in the form of the United States and a non-violent political and civic life, want to throw it all away on a roll of the dice, on an unknown and divided future? Surely separation is a disease of the Balkans, an extreme political decision more closely identified with a Czechoslovakia than a Canada?

In fact, there is a real malaise in the True North, one that has affected many other countries where different cultures, language groups and "ethnicities" have been forced, or have chosen under duress, to live together. To understand why Quebec nationalism will not go away and why there is a chance, if not this time then perhaps the next, that Quebecers will choose to go, you have to look at the history.

The country's birth in 1867 was the coming together of two founding peoples, the descend-

dants of the settlers of New France and the victorious British, who vanquished the French army on the Plains of Abraham in Quebec city in 1759.

Rather than force the losing side to assimilate, to bury its culture and traditions within the bosom of the larger and stronger side, the British instead allowed the French minority to establish separate Catholic, Francophone schools and retain a different legal system (Napoleonic, not Common Law).

Over the years, but particularly since the Sixties, the Quebec government has exercised more and more powers: to collect its own income taxes (the only province to do so); to run its own pension fund; and to develop a stand-alone welfare system, albeit one financed by transfers from Ottawa.

Despite this "sovereignty by stealth", Quebec has seen the separatist option remain popular with a solid 40 per cent of the province. Nor has this separatist voice been quiescent. It has enjoyed a highly active presence for a long time now: from the 1970 terrorist bombing campaign of radicals to the

election of an avowedly separatist government in 1976, to the high drama of myriad constitutional wranglings in the Eighties and early Nineties.

What does Quebec want? The question has dogged federalist politicians for the 128 years of Canadian federation. It is indisputably the fact that

Why would a people so blessed want to throw it all away on a divided future?

Quebec is another country, different language, different élite. To be Francophone in Quebec is to yearn to be "maître chez nous" (masters in our own house). Said one Quebecer last week: "We have been paying rent for so many years. We want now to buy the house."

Reason might dictate main-

tenance of the status quo: a common currency, a common market and common destiny with the rest of Canada. But emotion wants other things: protection of the French language, a chance to live *à la française* in North America. Many are prepared to risk wrenching economic dislocation in the short term for the prize of sovereignty later on.

A "Yes" vote would usher in a period of chaos and danger: enormously unsettling not only for Quebecers but for other Canadians, too. Not least of the pressing questions sovereignists must ask themselves are the following thorny issues: who gets a Canadian passport; can an independent Quebec use the Canadian dollar; as the ruling Parti Québécois insists: are the borders of Quebec to be retained; can Quebec effortlessly join Nato, the North American Free Trade Agreement, even the United Nations; and what about the minority Anglophone, immigrant and aboriginal communities within Quebec who are uncomfortable with the nationalist sovereignty project?

The break-up of Canada would also have a destabilising effect on other countries that harbour significant minorities. It is one thing to see Eastern Europe crumple and subdivide, but quite another when a country such as Canada succumbs. The signal sent to the minority Basques in France and Spain, for instance, or to the Welsh and Scots in Britain, would be unmistakable: modern, advanced democracies can and do break up. If a rich, modern, peaceful country such as Canada can fly apart, ignoring the efforts of 100 years of partnership and compromise, then what hope for the rest of us?

If the vote is "No", then some hard work will begin. Canada will have to decide how to include Quebec; how to keep Quebecers from feeling marginalised. By all accounts, nearly half of them do not like the status quo and desire some form of sovereignty.

In order to survive as a united country, Canada will have to prove to Quebecers, once and for all, that they are an important part of the whole and not just an accident of history.

Who would speak for the rest of Canada in any talks with Quebec on the divorce?

Wilkes's

Wilkes has learnt that Sir Norman Fowler, former Tory party chairman, is being tipped to run for the chairmanship of the all-important 1922 Committee of backbench Tory MPs. The current chairman, Sir Marcus Fox, is being challenged by the silent-but-deadly upstart Bob Dunn, who wants to stiffen the 22's backbone and its right-wing resolve.

Sir Norman is to be invited to run by the centre-left Macleod Group and leading members of the One Nation group. His name emerged at a dinner of the One Nation Tories, even as the rival right-wing 92 Group was holding its own annual dinner.

The 92 Group, Wilkes understands, was split over whether to support Mr Dunn or Sir Marcus. The Old Buffers backed Sir Marcus. The younger Thatcherites backed Mr Dunn. The left of the party is hoping that Sir Norman will agree to run, and come through the middle in the middle. His only weak point is that he might be thought a tad too close to one J Major.



Norman, hope of the Tory left

The announcement that Michael Heseltine is to go into the private London Clinic for the removal of kidney stones on 13 November was seen around the Commons last night as a possible explanation for his below par performance from the despatch box on Tuesday.

The First Secretary and Deputy Prime Minister did not look too happy at question time in the



Good for Hesza, good for Hesza

Commons against John Prescott. Of course, Wilkes was cheering for the Lion King, but it rather seemed from the backbenches as though Hesza had lost his roar.

No one will be wishing him a complete recovery more ardently than Mr Prescott. The deputy leader of the Labour Party has a vested interest in Hesza's self-aggrandisement at 10A Downing Street. The more Hesza inflates himself, the more Prezsa hopes to inherit when Labour wins power.

Prezsa is looking to Hesza to revive the equivalent of George Brown's Department of Economic Affairs - the long abolished ministry which challenged the power of the Treasury. That would allow First Secretary Prescott, post-election, to inherit a possible lever over Labour's Chancellor, Gordon Brown. The Shadow Chancellor will have nothing to do with such rubbish. If Howers and grapes are sent to Hesza's substantial private room by Prezsa, he will know what is afoot.

Incidentally, Wilkes hopes Hesza will not try to get fit by going jogging

with his new Parliamentary Private Secretary. Following the deserved elevation of his former PPS, Richard Ottaway, to the whips' office, the Lion King's new bag carrier is none other than Seb Coe, the Olympic 800m and 1500m gold medalist.

The aforementioned annual dinner of the staunchly Thatcherite 92 Group at the St James's Club was one of the most convivial evenings Wilkes has spent with his cohorts in the Banzai Brigade. The knights of the shires proved they are a match for Lady Thatcher's younger disciples.

Sir George Gardner, the Group's snake-like chairman, proposed that the "grey suits" who will be retiring at the end of the current Parliament should stand down immediately from various coveted Tory party backbench committee posts so that the group's young turks could be installed in the imminent round of elections. The highly conspiratorial Sir George is thinking ahead - with an eye to ensuring that the Thatcherites retain their grip on the backbench committees after the general election.

Leading by dubious example, he sent round a note before the dinner saying that he would be standing down as 92 Group chairman (which, conveniently, he will continue to be until next year), with the expectation that others would follow suit.

Imagine his horror when the good knights refused to fall on their swords. Wilkes joined the rebellion of the Old Buffers by throwing buses at the leadership of the 92 Group during the soup course. Whatever happens, Sir George will still keep his hands on the levers of power. The man most likely to replace him is his lieutenant, John Townend, chairman of the finance committee of Tory MPs, who this week published his own barny Budget, including massive spending cuts. One such was the proposal to slash the British Army on the Rhine. The defence minister, Nicholas Soames, was telling friends last night that rumours of Boris Yeltsin's demise has sounded a swift death knell for that idea.

Wilkes does, however, have an entirely serious tip for the Budget: a

concession on the road-fund licence for veteran car owners. Sadly, this has come too late for Peter Butler, the Parliamentary Private Secretary to the Chancellor, who has had to sell his beloved touring Bentley, the kind of motor that made Britain great, because of the running costs. He is left with two Austin Sevens. In spite of their honest pedigree, they are not in the same league as the old Bentley. So much for friends in high places.

Wilkes is mortified to report that the Tory party officers of Kensington and Chelsea are a shower of boring, safety-first neanderthals. They have earned this name-calling by failing to elect any of Wilkes's chums as their next election candidate for the seat.

Tragically, Alan Clark is out of the running after offering them his celebrated CV, complete with reasons for and against picking him to represent them at the next election. He included in the "against" column the little matter of his being a self-confessed womaniser. They were amused, but not sufficiently so to let his name go forward to the final six.

The questioning of the candidates was, by all accounts, bizarre. Melinda Libby, who should be given a Tory safe seat immediately, was asked whether she thought all journalists were louches. Ms Libby is married to one.

The House Magazine - Parliament's in-house journal/gossip sheet - hosted a splendid party in the Churchill War Rooms at the back of the old India office, giving Wilkes an unmistakable impression that he was back in the bunker behind the sandbags again. Wilkes was delighted to see among the guests the flame-haired Lady Hollis, the Labour peer who, it was rumoured, helped to persuade Alan Howarth to leave the Tories for her party.

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Getting divorced from Olga

The possession of a small majority in the House of Commons must be irksome in many ways for Her Majesty's ministers. But of all the myriad disadvantages it confers, that of having to take Lady Olga Maitland MP seriously must be the pits. Lady Olga believes in the family – but not as the rest of us do. She believes in it as Dame Barbara Cartland believes in love, as an immutable, unvarying, eternal institution whose benefits can never be doubted or questioned. And she isn't alone.

Why then poor Lord Mackay of Clashfern, Lord Chancellor – and an upright man desiring to do his best for the law. His Divorce Bill, a centrepiece of the forthcoming Queen's speech, is an honest attempt to remove some of the more objectionable aspects of the current divorce laws, while hoping gently to persuade more couples to stick together. He plans to remove quickie divorces based on "fault" (cruelty, unreasonable behaviour, adultery) and replace them with automatic divorce – effective after a 12-month "cooling-off" period. Any problems with his proposals lie in a lack of clarity about the availability of legal aid to divorcing couples (necessary) and the strength of emphasis upon compulsory counselling (unworkable). To any reasonable person, however, Lord Mackay's proposals do not seem likely to affect the incidence of divorce (a product of social forces beyond the control of mere governments), but rather seek to manage better the business of divorce.

Unfortunately Lady Olga and her pals are not reasonable. To them Lord Mackay's Bill is an assault upon the sacred institution. They are sure, beyond the need for evidence, that it will encourage the divorce-

prone and morally-deficient people of Britain to become serial spouse-dumpers. Lord Mackay is thus "demeaning" marriage. And her efforts have been supplemented by other would-be surprising moral majoritarians, like John Patten and John Redwood. Yesterday they were turning the screws on Lord Mackay.

So what? There will be a free vote. Opposition MPs are not likely to vote against the Bill, especially if the legal aid and counselling issues can be dealt with – so the Government can live with a chorus of groans from stage right, surely?

Well, no – not if yesterday's events are anything to go by. The temporary shelving by the Lord Chancellor of the Family Homes and Domestic Violence Bill after representations (some of them incredibly ill-informed) by eight Maitlandites is an ill-omen. This Bill, which seeks to extend the ability to remove abusive men from the home, has been subject to the controversial "fast track" Commons procedure – the consequent haste may help explain why the backbencher's caricature of it as a co-habiter's charter was so woefully forced of the mark. Yet Lord Mackay was forced to agree to a postponement, to give him time to look at three amendments tabled by the backbenchers. The Bill may never return.

This is a classic case of the rump wagging the dog. And the Government may well feel obliged to accede to the same lobby as the Divorce Bill proceeds – perhaps giving way on issues such as lengthening the cooling-off period or retaining fault. But any Act coloured in this fashion would substitute nostalgia for wisdom, authoritarianism for enlightenment. Our tip to Lord Mackay is this: don't listen to Olga.

Time for a tête à tête

Co-operation between France and Germany, observed Chancellor Helmut Kohl on Wednesday evening, is "almost a scientific law of politics". However, as the late philosopher Karl Popper put it, a scientific law is merely a hypothesis that has not yet been disproved. Franco-German friendship is one of Europe's obvious success stories of the last 50 years, but it cannot be taken for granted. When problems emerge, they need to be addressed directly. Political leaders in France and Germany could make no greater mistake than to pretend that the problems do not exist.

Since Jacques Chirac's presidential election victory last May, the Franco-German relationship has clearly run into difficulties. One is the resumption of French nuclear tests, which put the German government in the awkward position of having to stand by its most important European ally while signalling its sympathy with anti-nuclear German public sentiment. Another is France's decision to postpone implementation of the Schengen agreement on abolishing internal European Union borders, a measure which to many Germans appeared anti-European in spirit.

However, the most burning problem concerns Europe's political and economic future, above all the planned launch of a single currency in 1999. Unfortunately, it appears that neither Mr Kohl nor Mr Chirac is yet willing to confront the question of whether it is wise to stick to the 1999 timetable or whether, in the wider interests of Europe's economic health and political stability, it would be better to aim for a later date. After their meeting in

Bonn on Wednesday, both leaders repeated the mantra that monetary union would proceed on schedule, the Maastricht criteria would not be tightened with, and France would have no trouble meeting those conditions. This is all too glib and serves only to hamper proper discussion of the issues.

The question that needs to be asked is not so much whether France can fulfil the terms for joining a single currency, but whether it makes sense for France to do so if the price is an unemployment rate of 11-12 per cent and a permanently struggling underclass. During his election campaign, Mr Chirac identified these problems as France's greatest challenges, but he has failed so far to demonstrate how they can be solved while the government simultaneously takes the knife to state spending in preparation for monetary union.

German advocates of a single currency fear that pushing the launch date beyond 1999 could bury the project forever. This is Europe's last chance, they imply; if it is not seized, everything that has been achieved since 1945 in terms of co-operation and friendship could disintegrate. But that is taking too apocalyptic a view. A delay in monetary union might be regrettable, but arguably the Franco-German relationship would experience still greater tensions if the single currency were launched under economic conditions unfavourable to France. Privately, Mr Kohl is thought to share this opinion. It is a pity that he and Mr Chirac consider it a taboo subject for public debate.

ANOTHER VIEW Nicholas Baker

Why we need asylum curbs

In 1988 4,000 people applied for asylum in Britain as refugees. This year more than 40,000 people will apply. That is not the measure of a world that is breaking up now – the world had plenty of troubled areas in 1988. It reflects the increase in number of those trying to get round our immigration controls and enter Britain by applying for asylum. Numbers applying to Britain are going up, while in the rest of Europe they are decreasing.

Britain, as signatory to the UN 1951 Convention on Refugees, considers each applicant's case individually. We should not retreat from that obligation in any way. Under the 1993 Immigration and Asylum Act there is a right of appeal against refusal of an application by the Immigration and Nationality Division of the Home Office to independent adjudicators who are court officials.

Of those currently applying, only 4 per cent are found to be genuine refugees. Ninety-five per cent of those who are refused and then appeal against that decision have that refusal upheld. So the claims of the vast majority of applicants turn out to be unfounded. They may have perfectly understandable reasons, economic ones for example, for wanting to come to Britain, but they are not genuine refugees in well-founded fear of persecution, according to the UN definition.

The appeal process takes too long, often prolonged by applicants or their advisers, and the costs are heavy. Despite substantially increased resources and flow

of decisions recently, there is a backlog of cases currently standing at 62,000.

Yet many applicants come from countries where there is no general persecution at all. No one could say that there is general persecution in Poland, Tanzania or Ghana, for example. It is an insult to those countries to suggest it.

The Home Secretary's proposal for a "safe country" (or "white") list is simply for a list of countries presumed to be safe, based on detailed and up-to-date analysis of events in that country. The Home Secretary's certificate that a country was safe, based on reports by the Foreign Office and other outside sources, could certainly be challenged but would establish a presumption that the country was safe. The applicant's case would still be heard individually, there would be no "slamming the door in his face", but he would have to disprove the general presumption that the country was safe in order to win his case.

This would speed up the legal process, which is clogging the system, often due to bogus claims. It would produce speedier justice for those whose claims fail and most of all for the genuine refugees to whose cause we are committed. A "safe country" list would make obvious sense and improve justice. It would help protect firm and fair immigration control. And that we need for the sake of good race relations.

The writer is Conservative MP for North Dorset and former Home Office minister with responsibility for immigration.



TEEN PIN-UP



NATIONAL PIN-UP

LETTERS TO THE EDITOR

Drawing the wrong lessons from Asia's dynamic economies

From Lord Hylton

Sir: Christopher Patten's article ("Spend less, let the people prosper", 25 October) was thought-provoking, but needs to be read against the background of 16 years of Conservative government. During that time, personal tax levels have been reduced, indirect taxes have increased, unemployment has multiplied, while an ageing population requires ever-increasing spending on health and social care. The state sector has been dramatically shrunk by privatisation.

The economies of the Pacific Rim, which Mr Patten so much admires, are utterly different in kind from those of Western Europe. In the "tiger states" the populations are young, unemployment is low and investment relatively high, while the hinterland of the Rim, that is India, China, the Philippines and China, is often desperately poor.

Does it, therefore, make sense to compare two kinds of economy and society, when they are so dissimilar? Should we not rather consider what are the real needs in Britain and Europe and what is the most appropriate mix of public, private, insurance and co-operative methods for meeting them?

To say that some particular, and probably lower, level of public expenditure will necessarily produce a more desirable society seems doctrinaire. Mr Patten wants decent welfare, health and education, yet at the same time hopes to prune or dismantle state spending. How does he think education and training will be

paid for by those who need them most, especially the unemployed and under-skilled? Professor Lord Skidelsky is called in aid, but what hope is there that the "new rich" will contribute significantly to the welfare of those on less than average incomes, except through reasonably high levels of taxation?

One may also question whether Western European electorates automatically and universally want faster economic growth, and whether this will be sustainable in any case. Many might perhaps be happier with less congestion and pollution, better education and health care, combined with more purposeful leisure and greater security in working life and old age. I hope that electors will find ways of showing clearly the extent to which they value public goods; even if these are in some ways intangible and difficult to quantify.

Yours faithfully,
Hylton
House of Lords
London, SW1
25 October

From Ms Patricia Hewitt

Sir: It is regrettable that Christopher Patten, who used to understand the economic – as well as the social – argument for an effective welfare state, should now offer such a superficial analysis of the role of the state in South-East Asia. Praising these countries' low-tax, low-spending regimes – an apparent model of New Right orthodoxy – he ignores the Provident Fund insti-

tutions which fulfil so many of the functions of Europe's welfare state.

The Singapore Central Provident Fund, for example, has four aims: to raise the savings ratio, provide funds for economic development, promote home ownership and meet a variety of social needs, including retirement, disability, health care and (more recently) further education. Contributions from employers and employees reach a total of 40 per cent of earnings for people below the age of 55 and are payable for part-time and temporary, as well as full-time and permanent employees – a provision which would no doubt appeal Mr Patten's colleagues who insisted on the UK's opt-out from the European Social Chapter. Not only are such contributions compulsory, but they must also be invested in a state-run investment fund.

Sadly, Western social policy analysts have largely ignored the double role of the Provident Funds in promoting both economic growth and social cohesion. But the debate about the future role of the state, in this and other European countries, is too important to rest upon caricatures of "welfare state bad", "small state good".
Yours faithfully,
PATRICIA HEWITT
Deputy Chair
Commission on Social Justice
Institute for Public Policy Research
London, WC2
26 October

No U-turn and no gravy train

From Ms Clare Short

Sir: Your story "Labour in U-turn over new transport policy" (26 October) was false from start to finish. I am astonished that your correspondent did not contact me to find out the truth.

I have inherited a draft transport policy document from Michael Meacher's team. It was to have gone to our policy forum for consultation in November. I decided, before I read it, that we should take a little longer and produce a policy document rather than a consultation.

I have now read the draft. It is useful but needs more work. It does not deal with rail privatisation. The view from John Smith House is that the content is good but the presentation weak. The view from Tony Blair's office is that it is a good draft that needs a lot more work.

On rail privatisation, there is absolutely no doubt, we believe the railways must be in public ownership. We intend to do all we can to slow down and prevent the privatisation. But whatever stage is reached we will ensure the railways are in public ownership. This is why we are warning anyone who is thinking of bidding for parts of the system that they should be clear of Labour's intention and that there will be no gravy train this time.

Yours sincerely,
CLARE SHORT
MP for Birmingham Ladywood (Lab)
House of Commons
London, SW1
26 October

The writer is the Shadow Secretary of State for Transport.

Suicide warning for gay youth

From Mr Peter McColl

Sir: Peter Price's distressing story (Section Two; "I'm gay and I don't need a psychiatrist", 24 October) is very relevant today in terms of personal, professional and family responses to being young and gay or lesbian. Eight research studies in the US between 1987 and 1994 found suicide attempt rates of 20 per cent to 40 per cent in young lesbian, gay and bisexual cohorts.

One in five respondents to a survey conducted in 1983 by the London Gay Teenage Group reported a suicide attempt. Although sexuality was identified as a risk factor for youth suicide by the Department of Health in a 1991 Health of the Nation booklet, no recent review of youth suicide in the British psychiatric literature makes mention of it and the issue appeared nowhere in a 1994 NHS health advisory service review docu-

ment "Confronting the challenge of suicide prevention".

Although session therapy in this context has been discredited and homosexuality *per se* is no longer classified as an illness, one in 10 GP respondents to a 1989 survey considered this still the case, and one in three thought gay men, neurotic, effeminate and a danger to children.

Research suggests that the mean age at which a suicide attempt occurs is 16 years among lesbian and gay youth. Since this is a mean figure, approximately half will have been younger. Most young people depend on their families or friends for support and validation. However, a recent study of workers with lesbian and gay youth suggests that problems in these relationships are a specific source of distress for their clients. Other stresses include isolation and loneliness, having to hide one's sexuality,

low self-esteem, an internalised negative image, and experience of emotional, verbal, physical and sexual abuse. One in five youth workers thought that distress revealed itself in tobacco, alcohol or drug use or sexual behaviour.

Recent initiatives in suicide prevention have focused on high-risk groups. As a matter of common sense, lesbian, gay, bisexual and transgendered young people are likely to constitute such a group. Unfortunately, there is little contemporary evidence that we as a society are mature enough to address the needs of non-heterosexual youth, and until we are some of them will continue to experience distress, to harm themselves, and maybe die.

Yours faithfully,
PETER MCCOLL
Sheffield, South Yorkshire
24 October
The writer is a psychiatric senior registrar

Merseyside treasure

From Mr George J. Levy

Sir: With a budget deficit of more than £60m, Liverpool City Council has made the deplorable and irrational decision to see the Town Hall's magnificent pair of Regency wine-coolers (made by A. Edmunds & Sons, the celebrated local cabinet makers) at public auction next month (the estimate is £60,000). The National Art Collections Fund is rightly showing its disapproval by refusing to pledge £25,000 of charitable funds in a bid to acquire

them for the National Museums and Galleries on Merseyside.

Commissioned by the civic fathers in the early 19th century, these wine-coolers, and the grand group of furniture to which they belong, have been in the state dining room ever since and are part of Liverpool's heritage. June Dean in *Furniture History*, vol. XXV (1989) describes how, in those days, when the town hall's furniture was being purchased money was in plentiful supply... which reflected the increasing prosperity of the port.

Sadly, this is not the case today

in these gloomy times of local authority cutbacks. But surely this must be an urgent case for National Lottery funds to be used, enabling the National Museums and Galleries on Merseyside to make a direct purchase from Liverpool city council of the wine-coolers and the rest of this unique collection of furniture, which is still at risk.

And why not?
Yours faithfully,
GEORGE J. LEVY
H. Blairman & Sons
London, W1
25 October

Goldsmith's private party

From Mr Graham Watson

Sir: It is hard to compete with Sir James Goldsmith's millions, but his advertisement in yesterday's *Independent* cannot go unremarked. Extraordinary though it was, it was most notable for what it omitted. Throughout the text, Sir James is careful to gloss over the fact that one of the existing parties is in favour of a referendum – the Liberal Democrats.

We have repeatedly said that if cent years' Inter-Governmental Conference produces recommendations for genuine constitutional change, then we would favour putting its proposals to the people.

So one has to ask, what is the point of Sir James's party? Why bother with a political party composed of self-confessed single-issue obsessives and political *ingénues* who are unlikely to win more than handful of votes in any seat?

Sir James's answer would no doubt be that, as a Europhilic party, the Liberal Democrats could not be trusted to frame a referendum question that was, in his terms, "fair". But we, too, would consult with diverse and independent sources before setting the question. After all, a referendum would be self-defeating if its terms were widely held to lack popular legitimacy.
Yours faithfully,
GRAHAM WATSON
MEP for Somerset and North Devon (Lib Dem)
Strasbourg
25 October

From Mr Gerald Roberts

Sir: The Referendum Party is asking us (full-page advertisement, 25 October) to vote for a referendum on the fairness of whose terms we cannot judge, until after we have voted in a general election.

It says that "a group of respected citizens" from both sides of the European debate will draft the terms. Unless their respectability resides in their prior approval of terms acceptable to Sir James Goldsmith, who will presumably select them, what guarantee is there that they will be able even to agree on what is fair? Or that we shall be able to accept their judgement if they can agree?

We are being offered a pig in a poke.
Yours faithfully,
GERALD ROBERTS
National Committee
UK Independence Party
London, W6
25 October

Four-eyes strike back

From Ms Frances Gilyead

Sir: Shame on Vicky Ward for her thoughtless "spec-ist" remarks about "those beautiful Bostridge boys" (Diary, 24 October). Glasses do not automatically make the wearer undesirable nor pitiable.

For proof of this fact Ms Ward could take a quick look at her colleagues, or better still, ask Virginia Ironside how she feels about such tired old stereotypes.
Yours faithfully,
FRANCES GILYEA
Cirencester, Gloucestershire
25 October

comment

Young, free, virginal and not a dork

What's sex got to do with it? Some students major in friendship and celibacy – and are cool about it

I cannot say I noticed the young man at the opera workshop until he came up to ask me for a lift back to Cambridge which, having had the gumption to ask for, he got. He had been there with a dark-haired girl of his own age who, I assumed, was his girlfriend. I followed in my car while he returned his mother's car to the tiny village townhouse with a For Sale sign outside. He was out of the house in two shakes, threw his kit into the back, and we moved off into the nightmare of Sunday evening traffic.

At first we listened to a tape of *Don Giovanni* very loud, but then conversation took over. He had graduated in medicine, was doing his clinical year, finding it hard. He was a musician as well as a physician. I found myself asking about one of my pet worries, condom use among undergraduates. I wondered if condoms had improved at all, if condom use had become *de rigueur*, as it has on some American campuses. Or if people still believed that too many condoms broke. His answers were curiously evasive. Then he said, "I've never used a condom".

"Heaven's troubadour!" I thought and may have said. If students of medicine will not use condoms, then who in heaven will? Responsibility, leadership! Then, perfectly reasonably, by way of explanation, he said, "I've never had sex".

Steady as you go, I thought, being the last person to scream in disbelief at such a pronouncement. Don't make him feel weird. As we crawled past the millionth cone, I studied his face in the red of the brake lights. He was tall, well-set-up, good features, not a nerd

or a dork, that you could tell. He seemed to expect me to disapprove. I asked, "Have you ever been in love?" "I don't think so," he answered, as simply as before. "I get obsessive sometimes."

By this time I was feeling like a dirty old woman in search of vicarious kicks, but I soldiered on. He did not find celibacy difficult, partly because his friends and colleagues were as celibate as he. Shared beds were a rarity. His sexually active compeers were a conspicuous minority, and rather tedious with it. What he was concerned about was commitment; recreational sex was not an option. "Do you think this might be a reaction to so much marital breakdown in your parents' generation?" In some cases, he thought; but not, he implied, in his own.

In the midst of a culture that relies on immediate gratification of every impulse, and that stimulates all kinds of pleasure-seeking with a riot of intrusive imagery, this young man and, I believe, a large proportion of his generation are pure. What a world! The unshockable are shocked at the very idea.

I asked him about sexual fantasies. Not bothered by them. I copied out of asking about masturbation. Did he go to movies? No. And he didn't watch television either. When he and his friends had time off from studying and vacation jobs, they had fun out of doors, all kinds of fun. Who were his friends? Men and women he had been at school with, grown up with. No sexual attachments within the group? None. Sexual feelings between the



GERMAINE GREER

Shared beds were a rarity, his sexually active compeers a conspicuous minority

friends would be quite inappropriate. Gradually the picture emerged of a group of young people without siblings who had made of themselves a family, by building a relationship as enduring and committed as genetic kinship. One of the women had a boyfriend outside the group, and he reckoned they'd get married some day.

There is more than one sexual culture to be identified among today's young adults. Endless surveys giving percentages of people on-virgin at ages this, that and the other blur the contrasting options that confront people coming to biological maturity in our time. An important element in the choice of options is the peer-group pressure exercised at the school; there are schools where kids shag on the school bus, and schools where kids known to be sexually active are

ostracised. There are youth cultures where a blow job is a simple courtesy offered to a guy who is getting her up; contrariwise, the rave culture is far less genitally oriented than anxious parents imagine.

Crackerbarrel psychologists might say that my young passenger had been irrevocably damaged by his childhood experiences, that he was carrying a huge psychic load of self-repression, that his circuits needed unblocking by the release of orgasm, that his sex-free lifestyle was unhealthy. Perhaps his mother worries about him and blames herself. Clearly my passenger was healthier than the teenage boys who attempt and often achieve suicide because they haven't managed to lose their virginity. He was more healthy than chain-smoking anorexic young women who have been sexually active since the age of 12. He seemed to me busy, focused and organised.

It would be too much to argue that he had made a rational choice based upon a risk-benefit calculation, because so much of the pattern had developed unconsciously in the way he and his friends of both sexes had built a relationship, but his way of life makes sense. What I thought I saw in him was another example of the way in which our children re-invent the world, finding new strategies to solve old problems, with a concentration of energy, optimism and commitment of which their elders are no longer capable.

I asked him if he thought our overheated culture of immediate gratification had run out of steam, because the appetites of younger

generation were sickened by the reiteration of sexual imagery in every imaginable context. He was too modest to make so large a claim. I must say I hope that is what is happening, that, as austerity gains upon us, we will find a generation that values joy above pleasure.

I asked my passenger whether he was afraid that, when he found the woman he wanted to spend his life with, the years of deep reserve would be hard to roll back and intimacy hard to achieve. He said he didn't know, in a way that suggested he wouldn't worry about it, either. I reflected that here was one lower whose awakening to the riches of sexual love might proceed at the same pace as his partner's.

Years ago I wrote about the Dugun Dani of New Guinea, who have sexual intercourse one day a year and hardly think about it the rest of the time. Though my source was thoroughly reputable, I was derided as deluded. No such people could ever have existed. The Dugun Dani think of themselves as normal; meo whose thoughts are invaded by sexual imagery three times a minute would also describe themselves as normal.

Nothing is more protean or more susceptible to cultural pressure than human sexuality. Sexual expression is another realm in which anatomy is not destiny. What was most interesting about my young passenger is that his lifestyle has nothing to do with self-denial. He sees himself and his friends as self-regulating and un-enlashed – which was what the sexual revolution was about, after all.

The man with all the answers

I am very glad to welcome back the well-known modern historian Professor Norman Hunter-Gatherer, who has agreed to answer all your questions about the modern condition. All yours, Prof!

Professor Hunter-Gatherer writes: I think you may well be right.

People often criticise British Rail for using the expression "station stop". They think it is a nonsense to announce "Swindon" will be the next station stop instead of "Swindoo will be the next station". But surely it is a quite sensible term. If Swindon is the next stop, but not the next station! After all, the train may not stop at the next station, it may sail straight through it, and not stop till it gets to Swindon, is that not so? In which case "station stop" probably provides a sensible distinction.

Professor Hunter-Gatherer writes: Good point.

I am puzzled by the way that so many TV programmes are accompanied by people at the side of the screen repeating what is being said, but in sign language. Is this to help people who are watching the programmes on television sets in the windows of TV rental shops and who can see the picture perfectly well from the street, but cannot hear what is being said from the pavement?

Professor Hunter-Gatherer says: You may well be right.

Another thing. Limitations of news dissemination meant that news always got there several days later. If Waterloo was won on Monday, nobody would know this in Scotland till Thursday. Time really was relative. Literally so, because in 1800 the time of day in Cornwall was different from the time of day in London – they had different noons, and so on – and it was only when the railways arrived, with the need for a timetable, that things were standardised. Finally, by about 1900, time had been standardised worldwide. It was only then that Einstein discovered the relativity of time. Is it possible that one led to the other? In other words that nobody, not Newton or Einstein, could envisage time being relative until it had stopped being so?

Professor Hunter-Gatherer says:



MILES KINGSTON

Yes, my goodness, I had never thought of that.

I wonder if anyone has considered the effect that global warming might have on the relativity of time? We have read a lot recently about how the unwelcome warm weather has affected nature. Camellias and rhododendrons are blooming again now, which they were not meant to do until next spring. Many trees which should have shed their leaves by now have not even started to go brown. The trees are still green because the weather makes them think it is still last summer. The flowers, however, are blooming because they think it is already next spring. If nature, with all its built-in bio-clocks, cannot make up its mind what time it is, or even what year it is, what chance is there for the rest of us? Might not have all this given Einstein food for thought?

Professor Hunter-Gatherer writes: It's a staggering thought.

Hold on! What kind of an advice column is this, anyway? All the information comes from the questioners – the expert does nothing to help at all in this what they call Post-Modernism, or what?

Professor Hunter-Gatherer writes: I am sure you're right.

The Prof will be back soon. Keep those questions rolling in!

Behind a young girl's joyful remission lie complex ethical dilemmas. Polly Toynbee explains

Did the NHS cheat Jaymee?

The smiling face of Jaymee Bowen was a heart-warming sight yesterday, beaming from the front pages and the television screen in last night's special *Panorama*. "Never give up hope," she says. Sending a message to the health authority that turned her down for treatment, she says: "Now look at me. I'm fine. You could have paid for it. You had the chance and you blew it."

It has been a long, tangled and dreadfully painful story, and it is not over yet. Jaymee and her father remain outraged by their health authority's refusal to pay for her to have a second bone-marrow transplant in February. The question of the cost – £75,000 – clouded every other aspect of the case, and the health authority has

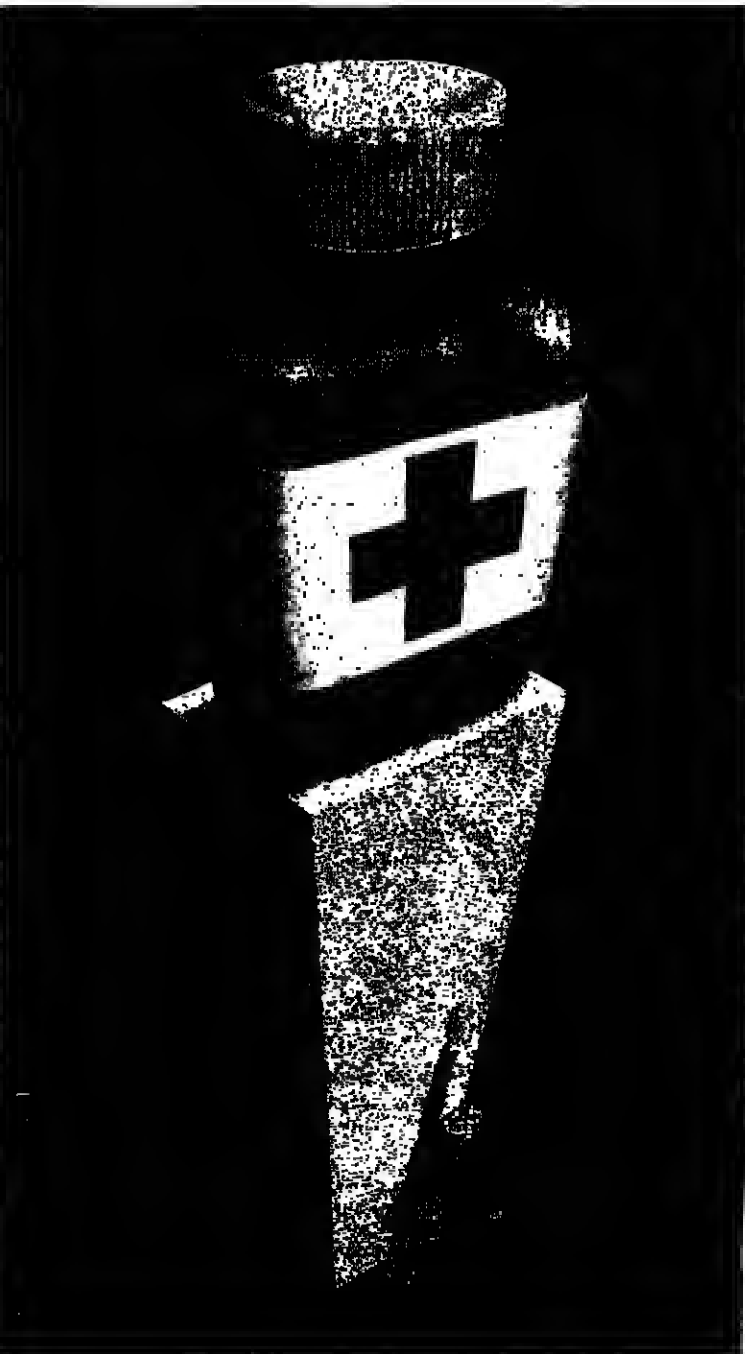
If a treatment offers a slender extra hope, should it not be given?

emerged as the villain. But that may be a harsh judgement. This story is partly about money, but more about conflicting views on medical ethics.

Jaymee has a very rare secondary leukaemia with chromosomal abnormality. Some 60-70 per cent of children now survive leukaemia after a single chemotherapy treatment; the few who fail, like Jaymee, go on to have a bone-marrow transplant. When Jaymee relapsed in January, less than a year after her bone-marrow transplant, she had already had every available conventional treatment and doctors told her father that she had reached the end of the line.

It appears Jaymee's doctors suggested she had a 2.5 per cent chance of survival, although this figure is much disputed. Jaymee's father took the view that while there was any hope at all, she should have a second bone-marrow transplant, a procedure which, leading cancer specialists say, they would never offer. It is painful, and there are no known cases of survival.

On the advice of the leading doctors in the field who belong to the UK Children's Cancer Study Group, palliative treatment only was offered to Jaymee. She might, they told her father, go into remission for a while spontaneously, but probably sooner rather than later she would die. Refusing to accept this verdict, he took her to the Royal Marsden, the specialist cancer centre in London, who gave the same opinion. A third



doctor at the Hammersmith Hospital also refused to treat her, but seeing her father's despair, suggested a man in the private sector with a reputation for having a go against any odds. That man was Dr Peter Gravett, of the private Portland Hospital, near Harley Street in central London. Recently retired from the army, Dr Gravett went straight into private

practice, out of the orbit of the NHS child cancer specialists.

Unlike the more shambolic and erratic treatment of adult cancers scattered in non-specialist hospitals, the children's cancer consultants have for many years been a tightly knit group working out of highly specialised centres with strict protocols for trials of new treatments. The system enables

rapid transmission of new information from centre to centre – one reason why Britain has been at the forefront of childhood leukaemia cures.

Not surprisingly, the things the NHS doctors say about the outsider Gravett don't bear printing. However, yesterday they were all having to eat just a crumb or two of humble pie. "The child has done considerably better than could have been expected"; "This is a remarkable and exceptional case"; they have been saying, expressing pleasure in the child's survival between slightly gritted teeth.

Back in March Dr Gravett had set their teeth on edge with a defiant press conference, announcing that he would treat Jaymee (then known as Child B)

As rationing becomes an increasingly pressing issue, this problem will recur

with a second bone-marrow transplant. A private benefactor put up the money. However, taking a closer look at the exceedingly bad figures for second transplants, Gravett changed his mind. He met with Professor Grant Prentice of the Royal Free, who recommended instead a brand new treatment – donor lymphocyte infusion. It involved taking blood from Jaymee's sister, treating it, and infusing the white blood cells.

Throughout Europe 52 people have had this treatment since it was invented four years ago, of whom 11 are still alive two years later. The 20-30 per cent survival figure Dr Gravett has quoted for Jaymee's current survival prospects is drawn from this small sample. Professor Prentice says: "My longest surviving patient is now at two and a half years. We are just guessing what the ultimate survival rate may be, perhaps closer to 20 per cent."

The official view of the UK Children's Cancer Study group remains that this treatment should only be offered as part of a clinical trial in a specialist centre. This raises the ethical question: if a patient has reached the end of every conventional therapy, and this new treatment may offer a slender extra hope, shouldn't it be offered to anyone in Jaymee's condition? No, the UKCCS still says.

Professor Clifford Bailey, chairman of the UKCCS, explains: "Very little has been published on this. If we followed up every suggestion of a

breakthrough without a proper trial, we would waste our energies on too many false starts." That, however, is unlikely to be the view taken by any parent of a child close to death.

Jaymee's health authority, Cambridge and Huntingdon, maintain that they would always have paid for an approved treatment in a reputable centre – it was the medical advice that led them to refuse to fund a second bone-marrow transplant. But the health authority did also have to consider the treatment's "effectiveness", which includes cost-effectiveness. The low odds plus the extra suffering combined, they believe, would not have been worth the money. The chief executive, Stephen Thornton, is keen to point out that in the week they turned down Jaymee's £75,000 operation, they agreed a £300,000 treatment for a leucodystrophy boy.

Cambridge and Huntingdon is now paying all Jaymee's bills, including treatment at the Portland Hospital, where she went yesterday for a 48-hour adjustment to her drug regime. If she needs a further donor lymphocyte infusion, and a "reputable centre" recommends it, the health authority will pay for that, too.

Jaymee's father this week went to court to lift the legal ban on identifying her so that he could raise money from newspapers to pay for more treatment. The judge said he regretted this, but in the circumstances, he felt obliged to agree. However, it appears that the money is unlikely to be needed for her care, as the health authority will now pay for any further treatments currently envisaged. If asked again, however, they would still refuse a child a second bone-marrow transplant.

Unfortunately, Jaymee's treatment is unlikely to prove a miracle cure. Most experts think that if donor lymphocyte infusion does prove useful, it will be just another weapon in the armoury against leukaemia, as they continue to roll back the death rate, extending survival time little by little.

Jaymee's case highlights two intractable dilemmas. First is the public's emotional rejection of the idea that any treatment, however expensive and unproven, should be denied by the NHS. As rationing becomes an increasingly pressing issue, this problem will recur. But just as difficult, any new development will always be demanded by the desperate: the question for doctors is at what point, ethically, to agree to its use, bearing in mind the extreme pain and suffering any patient may have to endure. There simply is no easy answer.

Generation Why



by Tony Reeve and Steve Way

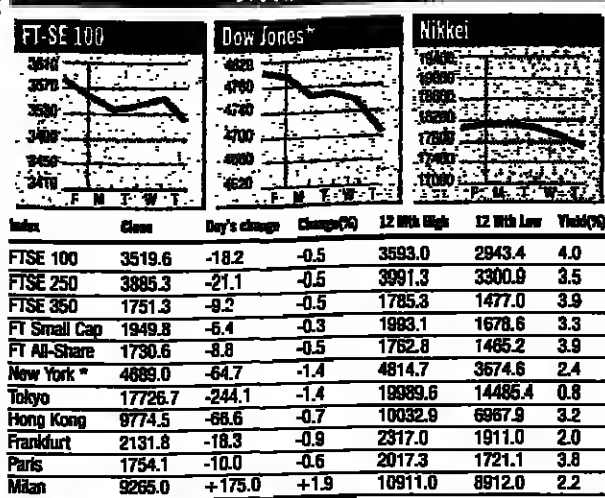
WITH TOMORROW'S INDEPENDENT



A CHRISTMAS CATALOGUE OF FINE & UNUSUAL GIFTS INSPIRED BY THE PAST

MARKET SUMMARY

STOCK MARKETS

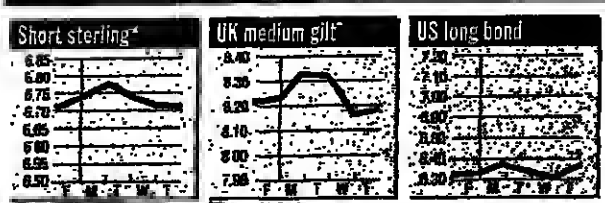


*Dow Jones at 1500 hours. New York graph at 1430 hours.

MAIN PRICE CHANGES

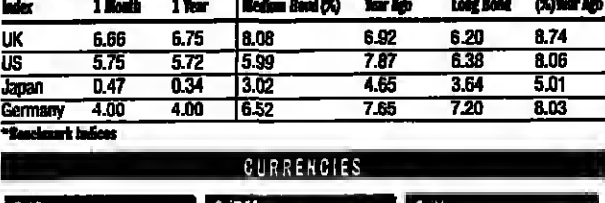
FTSE 350 companies (including investment trusts)			
Rises	Falls	Price (%)	Change (%)
Polytechnic	176	6	4.8
Legal & General	870	29	4.5
DFS Furniture	346	11	3.3
RD	163	5	3.2
Northern Electric	873	24	2.8
Danka Bus Sys	489	67	12.1
Wimpey (Glasgow)	50	4	3.9
Premier Oil	25	1	3.7
Seafarer Sp (A)	1005	35	3.4
Burns Op	1045	3.5	3.2

INTEREST RATES









*Bank of England base rate.

CURRENCIES



*New York rates and DM Index December 1994 Index.

OTHER INDICATORS

 <table><thead><tr><th>Month</th><th>Price (£)</th></tr></thead><tbody><tr><td>Mar</td><td>16.26</td></tr><tr><td>Apr</td><td>16.56</td></tr><tr><td>May</td><td>16.87</td></tr></tbody></table>	Month	Price (£)	Mar	16.26	Apr	16.56	May	16.87	 <table><thead><tr><th>Month</th><th>Price (£)</th></tr></thead><tbody><tr><td>Mar</td><td>369.00</td></tr><tr><td>Apr</td><td>367.25</td></tr><tr><td>May</td><td>369.00</td></tr></tbody></table>	Month	Price (£)	Mar	369.00	Apr	367.25	May	369.00	 <table><thead><tr><th>Month</th><th>Price (\$)</th></tr></thead><tbody><tr><td>Mar</td><td>1506</td></tr><tr><td>Apr</td><td>1504</td></tr><tr><td>May</td><td>1508</td></tr></tbody></table>	Month	Price (\$)	Mar	1506	Apr	1504	May	1508
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Pound	Yesterday	Change	Year Ago
Oil Brent	16.57	+0.18	16.26

Dollar	Yesterday	Change	Year Ago
Oil Brent	0.6265	+0.01	0.6125

Source: Datastream

IN BRIEF

Dow Jones plunges 86 points

The Dow Jones index dived almost 86 points yesterday after a string of poor profits news and fears that attempts to balance the government budget by cutting spending will slow the economy. It was the market's fourth decline in five days, made worse by two rounds of computer-driven orders to sell stocks.

Confidence in the market sank when Xerox Corp, waste management company Browning-Ferris Industries and Pyxis Corp, a maker of drug dispensing machines, reported unexpectedly weak earnings. "People are nervous," said Lance Zipper, head of Nasdaq trading at Breen Murray Foster Securities. "They had a great nine months and they're looking to hold on to the year's gains."

Allow banks to fail, says George

Eddie George (below), Governor of the Bank of England, yesterday told Japanese bankers that banks should sometimes — like Barings — be allowed to fail. Offering the Japanese, whose banking system has been teetering on the brink of crisis, the benefit of the Bank of England's experience, Mr George said: "The essential point is that last-resort assistance should only be made available to prevent the emergence of a systemic problem, not to prop up an individual bank, no matter what bank it happens to be."

Support had been withheld from Barings, one of Britain's most prestigious banks, because the Bank of England judged that there was little risk of its failure affecting other parts of the banking system.

'650 bank branches threatened'

More than 650 bank branches could close if the Lloyds takeover of TSB goes ahead, the banking union Bifu claimed yesterday. Bifu said it had located 652 sites in the UK where there are competing branches from both banks. The union is meeting with Lloyds chief executive Sir Brian Pittman and TSB head Peter Ellwood today to discuss these issues.

Hess to supply domestic gas

Amerasia Hess is to enter the domestic gas market when it is opened to competition next spring, undercutting British Gas by at least 10 per cent on its current prices. The company will announce price on 5 November for households in the South-west.

CBI head warns on tax cuts

Adair Turner, director-general of the Confederation of British Industry, yesterday warned the Chancellor of the Exchequer not to make political tax cuts that would put the stability of the economy at risk. He also said public sector capital spending should be protected, not cut in order to pay for lower taxes.

Boddington and Greenalls

A recent story about Greenalls' takeover of Boddington confused the two companies' finance directors. Alan Rothwell is finance director at Greenalls and would remain so under a combined group. Alan Garey is finance director at Boddington.

Holiday hiatus: Small operators face collapse while giants prepare to slash capacity

Travel trade bookings plunge

NIGEL COPE

The British travel industry yesterday disclosed that it has suffered a further slump in bookings that could force holiday companies to drastically reduce capacity next year and drive smaller operators and travel agents out of business.

The potential crisis follows industry figures which show that 1996 bookings are down by more than 30 per cent on this year.

Cumulative figures to September show bookings at Thomson, Britain's largest tour operator, are down 40 per cent. Bookings at Airtours, the second-largest group are down 50 per cent, while those at First Choice show a 6 per cent drop. Shares in both Airtours and First Choice fell yesterday although the latter denied that the bookings slump might jeopardise its £44m rights issue.

Although autumn is traditionally a quiet time for holiday bookings, the industry is looking nervously to the key January period, when many summer holidays are traditionally booked.

If bookings for summer 1996 do not pick up then, holiday companies will be forced to reduce capacity further. This follows a nightmare summer for holiday companies when travel groups overestimated demand and were left with a million unsold holidays. These were then heavily discounted.

Larger operators such as Airtours and First Choice have already said they will reduce capacity for 1996 by 10 per cent and increase brochure prices by around 8 per cent.

But for smaller travel companies, many of which have already experienced poor trading this summer because of the



Summer of discontent: The collapse in bookings threatens a repeat of 1995's poor season

Photograph: Tom Pilsdon

heatwave, it could be the final straw. "Some of the smaller companies might find it difficult," a spokesman for the Association of British Travel Agents said. ABTA said many smaller companies were already feeling the squeeze as suppliers' bills were arriving, while bookings were weak.

The figures on low 1996 bookings confirm the trend towards the late booking of holidays, which destabilises the industry. Holiday companies prefer customers to book holidays early as they can earn interest on the cash. Early bookings also tend to be made at the full brochure price, while last-minute deals are usually sold at a discount.

Tour operators were saying yesterday that the slump in bookings appears worse than it really is because the 1996 brochures were launched in September this year rather than in August. This means travel groups have had less time to sell the holidays. Other factors include uncertainty ahead of next

month's Budget. "There is no panic," one said. "No one will really do anything before they see what January is like."

Tour operators say holidays in Spain — nearly half the market — are selling poorly. Cyprus is another poor performer. Winter sun holidays have been selling poorly.

The crisis follows the hot summer that has ravaged the travel trade's profits, with many British people choosing to bask in the sun at home rather than book overseas holidays.



Byatt puts leak burden on water firms

MARY FAGAN
Industrial Correspondent

Ian Byatt, the water industry watchdog, has warned companies that they must bear the cost of reducing leakage from pipes — which could amount to billions of pounds — and will not be allowed to pass the burden through to customers.

Mr Byatt also said that companies would have to shoulder the burden of any "windfall tax" imposed by a Labour government, put by the City at between £2.5bn and £5bn.

Speaking at a London conference, Mr Byatt said water companies had underestimated demand for water and that any extra investment needed in the wake of the recent drought would have to be met within existing price controls.

He said the companies had failed to do enough to develop water metering to try to manage demand. He also said they had compounded their own problems by lack of progress in volume-related pricing, which could translate higher demand into greater revenues.

The Water Services Association recently announced that the sector would try to reduce leakage from an average 25 per cent across the country to about 15 per cent and this could cost up to £4bn.

A spokeswoman for Ofwat said yesterday: "We need to get the message across that they should not entertain the idea that customers might pay."

The WSA said yesterday that Mr Byatt's comments came as no surprise. But a spokesman added that a Labour government impose legal targets for

leakage, Mr Byatt would be duty-bound to examine whether it should result in more lenient price controls.

Mr Byatt's missive came as the WSA announced that the 10 big water and sewage companies have spent £13bn over the past five years in improving water quality and sewage services — about £1bn more than predicted when the industry was privatised.

The 10 big companies account for 90 per cent of the total investment in the industry. Separately, Ofwat said cus-

tomers in parts of Surrey will see price cuts of up to 5 per cent if the proposed merger between East Surrey Water and Sutton District Water goes ahead. The merger of these companies is too small in terms of their combined assets to be automatically referred to the Monopolies and Mergers Commission. But Mr Byatt said: "Nevertheless any merger between water companies reduces the number of available comparators which enable me to regulate the water industry and is therefore of concern."

Kirkham adds £74m to fortune with DFS sale

TOM STEVENSON
Deputy City Editor

Graham Kirkham, the fabulously wealthy chairman and founder of DFS Furniture, added £74m to his fortune yesterday with the successful placing of 22 per cent of the company to be started in an upstairs room in 1969.

Mr Kirkham flagged the placing a week ago, when the company reported record profits for the year to July, but the scale of the share sale was larger than expected. He had been expected to raise about £50m from the sale of a third of his 48 per cent holding in DFS.

He said: "Since the flotation of DFS, I have had numerous approaches from shareholders and potential new investors

asking whether I and my family would sell further shares. I remain as executive chairman and my commitment to the company is as strong as it ever has been."

Last week he assured investors that he had no intention of diluting his interest in the company by spending his money on other business ventures.

The share sale, which allowed existing investors to boost their holdings and also brought new shareholders onto the register, means Mr Kirkham has now taken more than £200m out of the business since floating DFS in 1993. He and family trusts still hold a 30 per cent stake, worth more than £100m.

Strong demand for the shares allowed broker NatWest Wood Mackenzie to place the shares

at 328p, a discount of only 2 per cent to Wednesday's closing price of 335p. News of the deal pushed the shares 11p higher yesterday to 346p.

Mr Kirkham said the placing was larger than forecast because of the strong demand from institutions frustrated at their inability to buy into the company, which has shrugged off the stagnant housing market to produce strong profits growth.

Last week DFS announced a special dividend of 10p a share, in addition to a 15 per cent rise in the ordinary dividend to 8.3p, as a way of reducing the company's fast growing cash pile.

Mr Kirkham has undertaken to sell no more shares for at least 12 months without the consent of Schroders, which underwrote the latest placing.



Graham Kirkham: business commitment strong as ever

The son of a Yorkshire miner, who left school without any O levels, Mr Kirkham has become a serious art collector since joining the ranks of British richest people.

He celebrated DFS's flotation by buying a Gainsborough painting, *Peasants going to market*. He said that he felt it was appropriate.

British insurers face downgradings

NIC GICUTTI

Britain's insurance companies are set to have their financial ratings cut by credit agencies in the wake of growing pessimism over the industry's future.

Both Standard & Poor's and Moody's Investors Service said yesterday they were likely to publish reports in the next few months, downgrading previous assessments of several companies in the sector. Among those considered vulnerable by analysts are Royal Life, Guardian Royal Exchange and Legal & General.

The downgrading comes after Norwich Union, the UK's second-largest mutual insurer, had its financial strength rating reduced by Standard & Poor's on Tuesday.

The rating agencies said that growing competition and falling premium income in the life and pensions side, coupled with

the savage effect of direct insurance on general business, were likely to have a downward effect on several companies.

Rafael Villareal, a senior analyst at Moody's, said: "For many years policy-holders did not know any better in terms of the charges they faced from companies. In the past year or so that has changed. There has also been the effect of the rules

on disclosure of charges, together with the realisation that there are other investments, like unit trusts, that are as attractive or more so."

Companies involved in general insurance faced other problems, in part due to the fact that their business cycle was once again beginning to slow down after a several years of reasonable underwriting returns.

UK insurance company sector



Karen Knoller, director of insurance rating services at S&P, said: "We are looking quite intensely at the insurance industry. We think some companies will be able to cope. Others will find it very difficult."

"Over the longer term, it is true that there are demographic and societal changes that can lead to an upturn in demand. But it is also true that there is increased competition from banks, and new life operations are being set up."

David Leighton, head of legal and fiscal affairs at the Association of British Insurers, said that while many companies had gone through a difficult period, this was being resolved. "At the end of 1991, figures for the UK general insurance market showed that companies had free reserves, as a percentage of premium income, of 50 per cent. By the end of last year, this had grown to 64 per cent."

Dale's bid in focus at pools company

The board committee of Littlewoods, the retail and football pools company, met yesterday to discuss the £1.2bn indicative offer for the company made by its former chief executive, Barry Dale, writes Nigel Cope.

The meeting took place as Dawnay Day, the merchant bank representing Mr Dale's consortium, issued a formal statement confirming that it had made a "serious but indicative" proposal to the company, although it did not yet constitute a formal offer.

It is believed that the bank was forced by the Takeover Panel to release a statement after details of the proposals were disclosed earlier this week. Some members of the Moore family, which controls the privately owned Littlewoods empire, were present at yesterday's meeting. The board, led by chairman Leonard van Geest, is now expected to discuss its findings with the 32 family members who own every share in Littlewoods, Britain's largest privately owned company.

Dawnay Day confirmed that it sent a letter to Littlewoods' adviser, Kleinwort Benson, last Friday. It said it hoped to work with the Littlewoods board and Kleinwort Benson with a view to developing the proposal into a firm commitment in due course.

Backers of the £1.2bn bid, which include top City names such as Prudential, Cander, Electra Legal & General, believe the family members may be prepared to listen to an overture.

A 75 per cent vote is required before a shareholder can sell to an outsider. Some younger family members are thought to be keen to realise the value of their stakes. However others believe that the company may be less well disposed to a consortium that includes Mr Dale, who was dismissed last year.

No rival bids have yet materialised, although some believe Mr Dale's approach may open a debate on the issue within the Moore family and flush out other offers.

Although Littlewoods, which includes the retail and football pools business, has been a poor performer, industry observers believe that with more dynamic and modern management the company's performance can be improved. Group profits were flat at £1.6m last year on sales of £2.75bn.

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INSTRUMENTS FOR PROFESSIONALS

A golden nonsense from policy on the hoof



The electricity industry is positively riddled with ownership anomalies – a rag-bag of rules and policy decisions that defy all rational analysis

Free-market purists such as the late Nicholas Ridley never thought much of golden shares, a device for protecting privatised companies from the threat of takeover. During the brief period he was in charge of water privatisation, the former Secretary of State for the Environment and arch-Thatcherite pushed hard to rid the selloff of all market-distorting paraphernalia. Fortunately for the water companies, more cautious counsel prevailed. Yet the fact remains that golden shares sit uneasily alongside the principles of privatisation, which dictate that, once sold, companies should become subject to all the usual disciplines of the market place, the threat of takeover included. If there is a justification for golden shares, it is this – that newly privatised companies need a period of adjustment, a breathing space in which to establish a sufficiently robust track record to ensure independence and deter predators. For companies that have golden shares of indefinite duration, there is a further defence – that they are companies of vital national importance that should not in any case be taken over.

The National Grid, apparently, is one. It is an article of faith among ministers that the National Grid should be seen to be completely independent. As a result an even more perplexing golden share than usual has been put in place. Nobody is allowed to own more than 15 per cent of the grid. Furthermore, other electricity companies are banned from owning any more than 1 per cent – the regional electricity companies that presently own the grid have been given a year to divest down to that level.

The result of this is an electricity industry riddled with ownership anomalies – a rag-bag of rules and policy decisions that defy all rational analysis. For starters, there is no logical reason why David Jeffries, the present grid chairman, should be thought sufficiently independent to satisfy the Government's article of faith, but others with no connection with the industry should not. There are plenty of companies and businessmen capable of guaranteeing independence, and delivering a better grid to boot. Nor is it clear why those who push power around the country at high voltage should be guaranteed independence, while those who push it around at low voltage – the regional electricity companies – should not. So far the Government has done nothing to stop the frenzy of takeover activity among the RECs. The generating companies, too, have indefinite golden shares protecting them from takeover yet if the guidance they have had from ministers is anything to go by, the Government is perfectly happy to see them acquiring regional electricity companies. One of them Scottish Power, already has, while the other two, National Power and PowerGen, only await the Government's formal go-ahead.

While it may be important to protect "the pool" from interference by the RECs and the generators, the Government has had no problem up until now with the RECs owning quite sizeable stakes in the grid; indeed that is the way the industry was privatised. In any case the pool will cease to have much meaning once full competition is introduced post-1998.

The whole thing is plainly a nonsense, an ill-thought-out muddle of decisions designed and executed on the hoof. Mr Ridley may have been right after all. A government that fully believes in the virtues of the free market should have the courage of its convictions and dispense with golden shares.

Regional revolt not all bad news for ITN

The news service provided by ITN to ITV and Channel 4 has come under some heavy fire, not just from viewers (many of whom prefer the BBC's version) but from ITN clients too. At least four of them – the regional ITV companies, HTV, Yorkshire-Tyne Tees, Anglia and Meridian – have formally asked the Independent Television Commission to find a competing news provider capable of supplying news services in place of ITN.

The only obvious alternative to ITN at present comes in the form of Sky, the 24-hour news service provided by BSkyB, 40 per cent owned by Rupert Murdoch's News Corporation. Just what is being proposed here?

To replace one news service that many don't rate highly, with another that many do not rate at all? Hardly. No one of the leading ITV companies is really serious about bringing in Sky. They are seeking, rather, a lower-cost news contract from ITN, and some of them view Sky's willingness to undercut ITN as the perfect lever. Are not the ITV companies in danger of seeing things the wrong way round, however? They might well be better advised to view ITN as a real investment, open to improvement, and able to earn a decent return in the expanding world of television news.

Murdoch under pressure: Introduction by disgraced junk-bond dealer opened way to investment □ BSkyB confronts OFT

Milken suspected of violating ban imposed by court

DAVID USBORNE
New York

Federal authorities are investigating Michael Milken, the former junk-bond king convicted of securities fraud in 1990, to establish whether he has violated a ban on returning to the investment industry. Officials from the Securities and Exchange Commission (SEC) are reported to have asked to see documents of MCI Communications, in which British Telecom has a significant stake, pertaining to advice allegedly given by Mr Milken in the company's decision last spring to invest up to \$2bn in Rupert Murdoch's News Corporation.

Mr Milken, who pleaded guilty to six counts of fraud in 1990 and served two years in prison, is known also to have advised in some other recent Wall Street deals, including the prospective takeover of Turner Broadcasting by Time Warner. Ted Turner recently suggested Mr Milken, a long-time friend, would receive a fee for his services of over \$50m (£32m).

As part of a deal struck with prosecutors, Mr Milken, who pioneered the market in high-yield, high-risk securities that became known as junk bonds, agreed to be barred for life "from association with any broker, dealer, investment adviser, investment company or mutual securities dealer". While the wording of the deal appears to leave some grey area as to what Mr Milken can and cannot become involved in, there has been growing speculation on Wall Street in recent weeks that he may have crossed the line in recent activities, and that a formal investigation by the government was all but inevitable.

News of the approach to MCI was reported by the *New York Times*, which cited anonymous sources close to the company. No comment was offered either by the always tight-lipped SEC, or by lawyers at MCI. "All our investigations are non-public," said SEC spokesman in Washington.

A lawyer for Mr Milken, Richard Sandler, told the newspaper, however, that he was "100 per cent comfortable" with the activities of his client, who is still serving up to 40 hours of community service a week as part of his sentence. He led the junk-bonds boom from the Los Angeles office of the now defunct securities firm, Burnham Drexel Lambert.

Mr Milken still has powerful friends at the highest levels of many of America's largest corporations, including Mr Turner, Ronald Perleman, Calvin Klein, Mr Murdoch and the chairman of MCI, Bert Roberts. Mr Milken was reported to have introduced Mr Murdoch to Mr Roberts and therefore opened the way to MCI's investment in News Corporation.

The investigation into Mr Milken's junk-bond transactions was launched in 1986, even though he was not convicted until 1990. As well as serving time in prison, Mr Milken paid fines totalling \$1.1bn. If the SEC request for documents from MCI is confirmed, it would seem to indicate that a formal probe into Mr Milken's activities has been launched. Such an investigation would almost certainly not be limited to his relationship with MCI, however, but would probably extend to the part he played in the Turner-Time Warner negotiations last month.

After his talks with Gerald Levin of Time Warner, Mr Turner took care to emphasise that in spite of the large fee that had been promised to Mr Milken he had not been present at any of the key negotiating sessions in New York.



Silver lining: Michael Milken, the convicted fraudster, after he was released from prison in 1992

Clash over Disney agreement

MATHEW HORSMAN

The Office of Fair Trading and two pay-TV companies, Disney and the broadcaster BSkyB, clashed yesterday over the implications of a revised distribution agreement governing the supply of the Disney Channel to cable operators.

Following a report in the *Independent* yesterday, detailing an OFT ruling on the supply of the Disney family entertainment channel, Disney and BSkyB insisted that cable operators would not be able to offer the channel as a stand-alone pay service, despite indications to the contrary from the OFT.

The companies said that any cable company carrying one or both of Sky's movie channels would be supplied the Disney Channel as a bonus.

Although the companies agreed to end the "exclusive" agreement between them, allowing cable companies to deal directly with Disney, they insisted last night that the channel would still be packaged with Sky's movie services.

In a statement, Disney said: "This approach was chosen to establish the channel as a premium service offering top quality family entertainment." The companies added that under the revised agreement, the handful of cable companies now offering only one movie channel would also be supplied with Disney on terms to be negotiated directly with Disney. In the past, both premium channels had to be carried in order to receive the family channel as a bonus.

UKTV seeks replacement for SelectTV

MATHEW HORSMAN

Today's decision on Channel 5, tipped to go to UKTV, the highest bidder, will ignite a desperate search by the channel's backers to find additional equity partners, sources said.

One of UKTV's current owners, SelectTV, is in talks with at least four bidders that might lead to the sale of the company, and one of them has indicated it would be willing to remain with the UKTV consortium following a deal, sources close to the sales talks said.

Channel 5, to determine whether they meet regulatory requirements. If UKTV gets the nod, any new partner would have to be Europe-based, and its inclusion could not materially affect the programming promised for Channel 5.

Today's award will be subject to a 12-week consultative period before the licence is awarded unconditionally, to allow final details to be ironed out. UKTV, whose other owners include Scandinavian Broadcasting System and Australia's Channel 10, has been criticised by other bidders because of its high foreign ownership.

In its original submission, the consortium made provisions for the addition of different owners either before or after the award was made.

The front-runners to buy SelectTV, producer of hit programmes such as *Love Hurts*, *Birds of a Feather* and *Lowkey*, include the media and information company Pearson, the financial services and media conglomerate MAI and Associated Newspapers. All are members of rival consortia.

Hat-trick puts shine on the dollar

DIANE COYLE
Economics Correspondent

President Boris Yeltsin's illness, the political survival of Lamberto Dini in Italy and new evidence of the blooming health of the American economy combined to help the dollar climb yesterday.

In a classic safe-haven reaction to the threat of political uncertainty in Russia, the currency markets sold marks and bought dollars. They also reversed some of the lira's recent losses against the mark caused by un-

certainly about Italian politics and government finances. Jeffrey Wu, currency trader at Sanwa Bank in New York, said: "The market is definitely reacting to the Yeltsin hospitalisation. Investors worldwide are selling marks because Germany is so close to Russia and is Russia's largest trading partner."

The US currency's advance against the mark was aided by a recovery in the lira. The improved chance of the Italian government surviving a vote of no confidence after Communist deputies said they would abstain took the lira higher against the mark during the day. The lira recovered to L1,142.9 to the mark from L1,159 on Wednesday, while share prices in Milan soared 2.5 per cent.

Eine staatliche Sprachen für den Export-Auszeichnung (National Languages for Export Award) beweist Ihren Konkurrenten und ausländischen Kunden, daß Ihr Unternehmen den Handel im Ausland ernst nimmt. Die Auszeichnung zeigt, daß Ihre Gesellschaft über Kenntnis von Fremdsprachen und ausländischer Kultur verfügt. (In einem zunehmend auf Wettbewerb eingestellten Markt ein zunehmend nützlicher Vorteil.) Sollte Ihr Unternehmen eine derartige Auszeichnung erlangen, so können Sie das Zeichen links verwenden. Die Gewinner erhalten ebenfalls eine Trophäe und einen Preis. Wenn Sie meinen, daß Ihr Unternehmen für eine Auszeichnung in Frage kommen könnte, oder wenn Sie sich darüber informieren möchten, wie Fremdsprachen zur Wettbewerbsfähigkeit beitragen könnten, rufen Sie folgende Nummer an: 0117 921 7171. (Übrigens, das ist was unten in Englisch steht.)

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dti
Department of Trade and Industry

THE INVESTMENT COLUMN

Edited by TOM STEVENSON

ICI performance short of steam

The advantage of quarterly reporting from the investor's point of view is that it gives a pretty accurate sense of when a cyclical recovery has run out of steam. That appears to have happened for ICI in the three months to September and it was no surprise that the shares fell 24p to 779p on yesterday's third-quarter results.

Looking at the nine months' figures could give the impression that everything is still going swimmingly for the chemicals giant. Pre-tax profits before exceptional items jumped a mighty 108 per cent to £758m (£393m), with earnings per share rising an even more impressive 128 per cent to 61.7p.

Reading between the lines, however, underlines how little of the good news was added to the equation since the summer.

Plainly, the petrochemicals cycle is approaching its peak, volumes are starting to flag and the growth that has been achieved has come from the delayed effect of price rises rather than any underlying buoyancy in the market.

That said, there were some pleasant surprises. Profits from ICI's materials businesses jumped an unexpected £83m to £144m on the back of improved selling prices.

The same story gave a lift to industrial chemicals, which at £422m contributed more than half of group profits, and regional businesses, more than doubled at £112m, benefited from good trading in Australia.

But reading the fine print of the third-quarter figures shows that a 12 per cent rise in third-quarter turnover actually disguised a 4 per cent volume fall, with the slide more than made up for by price rises worth 14 per cent. No problem says the company, with little new capacity coming on stream in Europe there's no chance of a slump in prices. Investors with long memories have heard that sort of claim many times before.

Attention will now focus on the extent to which ICI can continue to squeeze the cost base. Back in July another £300m-£400m of savings was promised and it remains to be seen how achievable that is. With profits unlikely to recapture until next year the level enjoyed in 1989, it is becoming apparent just how much of a lifeline the cost-cutting programme of the past four years has been.

Smith New Court has pencilled in £970m this year, followed by £1.05bn in 1996, when earnings per share will reach 84.5p, putting the shares on a prospective price/earnings ratio of 9. That is not demanding, and a forward dividend yield of 5.3 per cent will give the shares some support, but they are

unlikely to do more than tread water until the benefits of the latest cost-cutting programme start to become clear.

Eurovein still seeking a pulse

Eurovein, the Sheffield-based engineering group, is not the worst of the many new issue flops of last year, but it is certainly a serious candidate. The duffer of '94 was Aerostructures Hamble, the aviation group chaired by former British Airways chairman Lord King. After floating at 120p it was eventually taken over last month at 32p a share after four profits warnings in little more than a year.

Eurovein's brief life as a public company has been almost as calamitous. Floated at 141p last November it issued two profits warnings in its first three months on the market. The shares have slumped to 40p, unchanged yesterday.

Yesterday Eurovein reported losses of £1.1m for the 12 months to July, roughly in line with the adjusted figure. Sales fell from £35.7m to £32.6m.

The problems were chiefly caused by deferred orders in the surface treatment division and difficulties with low-margin contracts. One German or-

der, taken on as a loss-leader in the hope of making a return on spare parts, turned in a thumping loss.

Since then Eurovein has parted company with its group managing director and several other divisional changes have been made.

Cuts have been made at both the French and German operations where engineering activities are being transferred in the UK. The job losses that accompanied the move necessitated a £700,000 provision against last year's figures.

The outlook is not exactly thrilling. The economic prospects are uncertain in the UK, which accounts for a quarter of Eurovein's sales. Though Germany is doing well, the French market is also weak. The limited good news is that the delayed contracts came through in the second half and the cost benefits from a product rationalisation and redundancy programme should boost the current year's figures.

Elsewhere the company says marketing efforts have been strengthened and margin and production control procedures have been revised. The company says the order book to January is healthy, with the figure up from £11.3m to £11.9m at the end of September.

Albert E. Sharp, the broker which sponsored the issue, is forecasting profits of £1.6m for the current year.

That puts the shares on a forward p/e of five. A possible recovery play, but given this company's grim record, the shares are best treated with extreme caution.

Westbury shows its resilience

Another solid set of first-half figures from Westbury confirmed that the South-west and Midlands housebuilder has put behind it the loss-making, provision-dogged years of the early 1990s. After a dismal reporting season for the sector, these were surprisingly resilient results and the shares closed 6p higher at 161p, 30 per cent higher than they traded in March.

Pre-tax profits of £6.5m were 13 per cent better than the first half of last year, benefiting from a widening in operating margin from 8.2 to 8.9 per cent. Partly that reflected higher sales, with turnover up 12 per cent to £89.6m, but it was impressive in the face of rising incentive costs.

The cost of persuading buyers to complete increased from 2.8 per cent of total selling price to 3.6 per cent, and half of all the company's trade-up detached houses are now sold on a part-exchange of the buyer's old property.

Only Westbury's focus on the lower end of the market, where demand has remained stronger than further up the price scale, has protected it from the underlying sluggishness of the housing industry. Private house sales increased 8 per cent in the period, to 1.275, and the average price increased 7 per cent to £67,370 as more larger, detached houses were sold - like-for-like increases were negligible.

The decision by a string of diversified groups over the summer to pull out of housebuilding confirms that the only groups likely to prosper in what will continue to be difficult markets are specialist builders operating, like Westbury, in relatively strong niches. The land that comes onto the market as a result of those withdrawals should enable the stronger players to bolster their land banks at sensible prices.

That said, Westbury is as dependent as any other builder on a reduction in the uncertainty dogging potential buyers, an improvement in weak underlying prices and a slowdown in the rise in raw material costs. Matching last year's sales and margins suggests profits are unlikely to beat last year's £12.6m by a great deal, and on a prospective price/earnings ratio of 12.5, the shares are fairly priced.

Simon Pincombe CITY DIARY

Saunders junior gets into an exclusive roll

Good to see our old friend James Saunders catapulted back into the limelight, this time as hall selector in the live draw for the fourth round of football's Coca-Cola Cup. The beary-eyed son of the former Guinness chief (we are talking GMTV) has landed a job as a brand manager for the drinks giant after being turned down for a senior marketing position at Britvic last year.

Ball selection is just one of the little chores that face Coke brand managers under an exclusive deal between the company and the TV station. And while announcing the whereabouts of future football matches is not everyone's idea of a fun time, it is preferable to watching your father tried for fraud.

More alarmingly, James' career is proving to be a replica of his father's. Observers of the family point out that Ernest Saunders started out with the ad agency J Walter Thompson before becoming a brand manager at Beecham. From there it was to Nestlé and Guinness before a stint at Her Majesty's pleasure and a bout of Alzheimer's.

Saunders junior used to work at the Lowe Howard Spink agency (Frank Lowe testified for his father) and has now gone into consumer brand management.

Should he become a chief executive in the future we would urge extreme caution during any takeovers.

Like the best election campaigns there are signs that the hostile bid for Country Casuals, the women's clothing retailer, will avoid the issues and concentrate on the



Ball selector: James Saunders is on the move

personalities. The Casual board (no slur intended) yesterday claimed that John Shannon, the former chairman and chief executive who is hiding £26m, keeps shopping in its stores and asking for staff discounts - even though he left last year.

"Rubbish," retorts Mr Shannon, adding that he has not bought any women's clothing or asked for staff discounts. "I merely asked why the 15 per cent discount for shareholders had been withdrawn since I left." Well, he does own 18.8 per cent.

One is eternally grateful to *Ventures*, "the dynamic business magazine for entrepreneurs" for divulging the

secret business strategy of Barry Hearn. You will not be surprised to learn that the East London promoter, now grappling with his conscience over the ethics of a significant part of his turnover, can sum it up just three words - go for it.

Those hoping for a more detailed analysis will be disappointed. But what is there to add about selling 36 hours of five fishing to Sky TV?

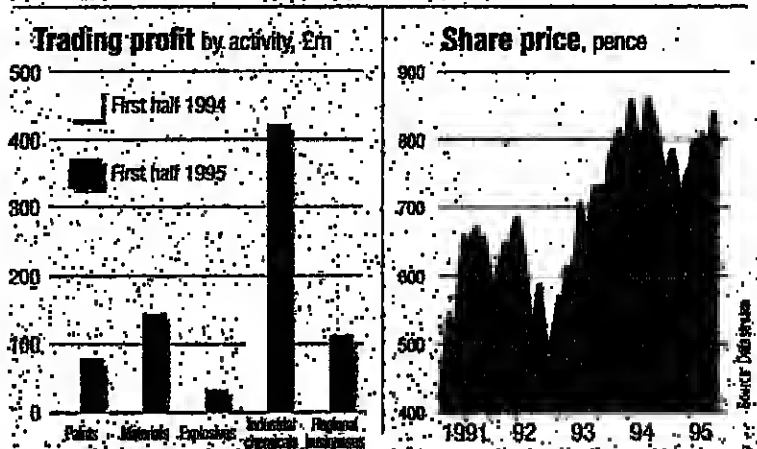
"Can you imagine six hours a day for six days of live fishing?" inquires Mr Hearn. "Six hours of watching a float bob up and down on the water? Yeah, that's my idea. Sensational, innit?" A blinder.

Hackney dog track has pulled up lame with the vets from Price Waterhouse in attendance. London Stadium Hackney, Europe's premier greyhound and speedway venue, has a capacity of 3,000 and state-of-the-art tracks. But it is now in receivership, unable to carry the massive cost of the refurbishment needed to make it the best.

ICI: at a glance

Market value: £5.65bn, share price 779p

Five-Year record	1992	1993	1994	1995	9 months
Turnover (£bn)	30.2	32.6	35.7	38.2	37.7
Pre-tax profits (£m)	432	186	408	383	749
Earnings per share (pence)	19.9	8.5	39.4	28.5	61.6
Dividends per share (pence)	65.0	27.5	27.5	n/a	n/a



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For further details on Norwich Union's Club Insurance call 0800 539547 for an information pack.

DAVID HELLIER

Country Casuals, the women's fashion retailer, yesterday proposed a 26 per cent increase in its final dividend as a large plank in its defence against a takeover bid from its former chairman and chief executive, John Shannon.

The company, unable to give a profits forecast ahead of its busy autumn and winter season, said that Mr Shannon's "paltry" 140p-a-share offer does not reflect the value of the company. The offer "might have been appropriate... when Mr Shannon abruptly left in September 1994, but it does not take into account the progress that has been made since", it said.

The company said the main



John Shannon: 'Paltry' offer dismissed by management

core Country Casuals business has an implied value of 186p a share, without attributing any value to the two main sub-

sidaries - Elvi, the large woman's retailer, and Lcrose, the manufacturing business.

Mark Bunce, the company's chief executive, said that Mr Shannon "is attacking us before we have even had a full management year. He is hitting us when we have gone through the group's weak first half."

The company hit out at the state it was left in when Mr Shannon walked out on it last year. It said that his deal-oriented approach after the company went public led to the business being weakened and overstretched, and led to a lack of focus.

The company said it had taken decisive action since Mr Shannon's departure to stem the losses in the troublesome

subsidiaries and invest in the core business. Tom Adam, the chairman, predicted that shareholders would get a better idea of the progress being made when the Christmas trading performance is announced next January.

The company, having now put out its defence document, will be casting around for the support of its major shareholders. It has already lost the backing of Phillips and Drew Fund Management in respect of 12 per cent of its holding, and obviously Mr Shannon, who holds nearly 20 per cent.

Mr Shannon's financing for the deal is conditional on him getting 75 per cent shareholder support, according to financing documents.

Saudis' \$6bn boost for US air industry

RUSSELL HOTTEN

Saudi Arabia is to buy 61 civil aircraft from two US manufacturers in a \$6bn (£3.8bn) deal that the White House said yesterday would create thousands of jobs in the ailing aerospace industry.

Spin-off work worth about £90m will go to UK aero-engine maker Rolls-Royce. Other contractors, including Smiths Industries, will also benefit.

Meanwhile, concern continued in the US over last week's breakdown of talks with the UK to liberalise air services. A US official warned that the Bermuda II agreement governing services may be ripped up.

The huge Saudi deal was signed on Wednesday night by President Clinton and a member of the Saudi royal family. Saudia, the state airline, has ordered 23 of Boeing's 777-200 twin jets and five 747-400 jumbo jets. An order for 29 MD-90s and four MD-11s has been placed with McDonnell Douglas. The first planes will be delivered to the airline in 1997.

The aircraft market is in deep recession, with the trough not expected to be reached until 1996, so the order was welcomed by the industry. The problems were under-

lined yesterday when France's Aerospatiale announced 4,000 jobs cuts. And Boeing, the world's biggest aircraft manufacturer, faces protracted industrial action because of cutbacks. The company, which yesterday reported a 22 per cent jump in third-quarter profits, said the machinists' strike would hit this quarter's figures.

Yesterday, American transport officials said they were examining "all of our options" in the light of the collapse of US/UK air talks, including scrapping the Bermuda II accord signed in 1977. Patrick Murphy, Assistant Secretary of Transportation, said support for ending the agreement has been growing among members of Congress and US airlines.

Each party would have to give one year's notice before ending the agreement. One airline executive said he thought Mr Murphy was just sabre-rattling.

No further face-to-face talks are planned between US and UK aviation officials, though Mr Murphy said the two sides would continue talks on the telephone. But he said the matter was likely to be held up until agreement of the possible sale of USAir, 25 per cent owned by British Airways, to American Airlines or its rival, United.

Danka expands with £109m Infotech buy

RUSSELL HOTTEN

Danka Business Systems, the photo-copier company, continued its rapid expansion with the purchase of Infotech, one of Europe's largest independent copier and fax suppliers, for £109m.

But yesterday's announcement included a warning that Danka would take a pre-tax charge of about £6m in the third quarter due to restructuring of the company's expanded international operations. The shares fell 72p to 482p.

The Infotech purchase is Danka's largest to date and would firmly establish its operations across Europe, Dan Doyle, chief executive, said.

He expected the acquisition to be neutral to earnings in the third and fourth quarters, due

to about £2m in costs for training, advertising and development of a European headquarters.

Infotech, which last year made revenues of £180m and pre-tax profits of £7.7m, markets a full range of Ricoh products. Under the deal, which if it is given regulatory approval will make the combined group one of the largest, Danka will pay £109m cash funded through existing and additional bank credit facilities. At 30 September Danka had £172m available in existing credit facilities.

Danka yesterday reported a 28 per cent rise in interim pre-tax profits to £27m, on turnover up 40 per cent to £330m. Mr Doyle said margins remained strong despite the rapid pace of acquisitions.

COMPANY RESULTS

	Turnover £	Pre-tax £	EPS	Dividend
Air London International (P)	28m (18.1m)	1.07m (0.64m)	7.9p (4.7p)	4p (2.5p)
British & American Film (P)	0.91m (0.94m)	0.78m (0.68m)	22.17p (18.46p)	5.5p (4.8p)
Bunzlows (P)	26.9m (+)	-0.83m (-)	-5.3p (-)	0.51p (+)
ICI (P)	7.71m (6.81m)	210m (143m)	18.2p (11.1p)	n/a (n/a)
Plantation & General (P)	22.4m (21.3m)	1.57m (0.97m)	2.9p (1.4p)	1.2p (1p)
Prosecco Holdings (P)	57.3m (57.3m)	4.9m (2.2m)	9.01p (5.2p)	3.5p (2.83p)
Westbury (P)	89.6m (80m)	6.51m (5.78m)	6.5p (5.3p)	2p (1.8p)

(P) - Final (F) - Interim (M) - Nine months

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CLASSIC

market report/shares

TAKING STOCK

Philip Green, the retailer owning the Oneworld and Lewis's department stores, is thought to be looking in the direction of Baldwin, the holiday and restaurant group. There is talk Mr Green and his associate, clothing retailer Tiltman, are considering operations in the direction of Baldwin. There has been long talk of a takeover of the Baldwin boardroom. On Ben Seng, a Singapore businessman with a 29 per cent stake, is thought to be at loggerheads with chief executive Sandy Singh. The shares held at 165p.

Regus, the royal jelly distributor, held at 14p as one of its main shareholders, Antonio, converted a loan into shares at 15p. Antonio is owned by director Horatius Da Gama Rose and his family. It now has 29.5 per cent of the struggling group.

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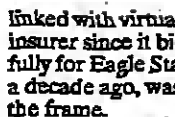
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MARKET REPORT

DEREK PAIN

Stock market reporter of the year



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Bid-happy investors turn their microscope on L&G

Another ramp - or the mega-takeover bid the stock market so desperately needs?

Legal & General, the insurance giant, was the group under the microscope as stories swirled that National Westminster Bank, keen to expand, was about to strike.

L&G jumped 35p, settling in busy turnover, at 670p, up 29p. Perhaps significantly the advance was achieved on a day when most blue chips were underlain and the FT-SE 100 index lost 18.2 points to 3,519.6.

L&G shares are, however, at their all-time high, a remarkable achievement considering the uninspiring outlook for the company and the insurance industry.

NatWest is known to be casting around for a significant acquisition. It is set to realise more than £4bn from the sale of its US banking side and has made no secret of its desire to re-invest in the financial sec-

tor. Although it has apparently turned down the relatively small Gartmore fund management group, it could decide to descend on Mercury Asset Management or pick up another bank.

Intriguingly, L&G has some £36bn under management, an inviting target. But if it did bid for L&G, NatWest could find itself embroiled in some difficult areas of the insurance market which prudence would suggest it avoided.

There is no doubt the takeover mania in the US banking industry is enhancing the value of NatWest's transatlantic banking arm. HSBC, the Far Eastern group that takes in Midland Bank and has significant US interests, is being named as a likely buyer.

NatWest fell 15p to 637p and HSBC 6p to 939p. The bank did not have the L&G field to itself. Allianz, the German group which has been

linked with virtually every UK insurer since it bid unsuccessfully for Eagle Star more than a decade ago, was restored to the frame.

Some even speculated about a German bank emerging as the predator, with Deutsche Bank the popular guess. The L&G excitement lifted other insurers higher. But Royal, until now the favoured bid target, held at 383p.

The L&G surge demonstrated the market's conviction that mega-bids remain in the pipeline. A strike for the insurer would cost around £3.5bn and would provide the impetus a flagging market clearly needs.

Bluebird, the toys group, is not in the mega-bid class; even so it was once again hauled into the takeover pit as the US toys group, Hasbro, decided to convert loan stock into equity, collecting a 6.7 per cent stake in the process.

Why should Hasbro switch into equity at this stage? The market is convinced it was a warning shot to Mattel which could be eyeing Bluebird.

The US group has the rights for Walt Disney characters in Europe. Bluebird has the UK licence. A Mattel bid for Bluebird, therefore, makes sense. Hoping for a bid battle, Bluebird was boosted 3p to 360p, after 369p. The shares

have raced up 100p since the Disney deal was announced earlier this month.

Royal Bank of Scotland, until recently riding high in the takeover charts, had to contend with another MAM sale: the fund manager cut to 11.98 per cent. MAM has been easing its RBS load, indicating it is unwilling to believe the takeover story swirling around. RBS shares firmed 2p to 519p.

Elsewhere, British Petroleum weakened 7p to 470p on Lehman Brothers caution and Thoma KMI continued to suffer from a share overhang, thought to be a 2.5 million line, falling 25p to 1,469p.

Negative comment on Zantac, the ulcer drug, in an influential US publication lowered Glaxo Wellcome 8p to 82p. Reckitt & Coleman lost 13p to 678p on talk of a significant acquisition in the Far East.

Holiday shares were unset-

SHARE PRICE DATA

Prices are in sterling except where stated. The yield in last year's dividend, grossed up by 20 per cent, as a percentage of the share price. The price/earnings (P/E) ratio is the share price divided by last year's earnings per share, excluding exceptional items.

Other details: * For rights & dividends a full list of Unlisted Securities Market is suspended on Friday 27 Oct. All prices are in sterling.

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Call cost 30p per minute (cheap rate), and 40p at all other times. Call charges include VAT.

MARKET LEADERS: TOP 20 VOLUMES

Stock	Volume	Share	Value	Stock	Volume	Share	Value
BT	14,000	Share Price	7,700	BT	14,000	Share Price	7,700
British Gas	14,000	Share Price	7,700	British Gas	14,000	Share Price	7,700
BT	14,000	Share Price	7,700	BT	14,000	Share Price	7,700
BT	14,000	Share Price	7,700	BT	14,000	Share Price	7,700

FT-SE 100 INDEX HOUR BY HOUR

Open 3528.7 down 9.1	11.00 3521.6 down 16.2	15.00 3515.0 down 21.9
09.00 3529.5 down 14.3	12.00 3529.4 down 14.4	16.00 3519.7 down 18.1
10.00 3531.7 down 6.1	13.00 3513.5 down 24.3	Close 3518.6 down 18.2

OTHER FINANCIAL

Stock	Price	Stock	Price	Stock	Price
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360

OTHER SERVICES

Stock	Price	Stock	Price	Stock	Price
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360

RETAILERS, FOOD

Stock	Price	Stock	Price	Stock	Price
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360

RETAILERS, GENERAL

Stock	Price	Stock	Price	Stock	Price
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360

PHARMACEUTICALS

Stock	Price	Stock	Price	Stock	Price
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360

PRINTING & PAPER

Stock	Price	Stock	Price	Stock	Price
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360

LIFE ASSURANCE

Stock	Price	Stock	Price	Stock	Price
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360

MEDIA

Stock	Price	Stock	Price	Stock	Price
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360

PROPERTY

Stock	Price	Stock	Price	Stock	Price
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360

SPIRITS, WINES & CIDERS

Stock	Price	Stock	Price	Stock	Price
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360

SUPPORT SERVICES

Stock	Price	Stock	Price	Stock	Price
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360

RIGHTS ISSUES

Stock	Price	Stock	Price	Stock	Price
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360

RECENT ISSUES

Stock	Price	Stock	Price	Stock	Price
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360

Share information

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GOVERNMENT SECURITIES

Stock	Price	Stock	Price	Stock	Price
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360

INDEX-LINKED

Stock	Price	Stock	Price	Stock	Price
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360

UNDATED

Stock	Price	Stock	Price	Stock	Price
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360
BT	360	BT	360	BT	360

DATA BANK

FT-SE 100 3,519.6 - 18.2

FT-SE 250 3,885.3 - 21.1

FT-SE 350 1,751.3 - 9.2

SEAQ VOLUME 648.6m shares

24,513 bargains

Gilts Index 93.35 - 0.16

SHARE SPOTLIGHT



Share price, pence

Share price, pence

Share price, pence

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Team C
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FOREIGN EXCHANGE RATES											
STERLING			DOLLAR			DMARK					
Country	Spot	1 month	3 months	Spot	1 month	3 months	Spot	1 month	3 months	Spot	1 month
US	1.5744	114	33.30	1.0000	114	33.30	1.0000	114	33.30	1.0000	114
Canada	1.2482	117	32.37	1.0000	117	32.37	1.0000	117	32.37	1.0000	117
Germany	2.2482	49.42	144.14	1.0000	49.42	144.14	1.0000	49.42	144.14	1.0000	49.42
France	7.7450	42.00	144.14	1.0000	42.00	144.14	1.0000	42.00	144.14	1.0000	42.00
Italy	2.2482	49.42	144.14	1.0000	49.42	144.14	1.0000	49.42	144.14	1.0000	49.42
Spain	160.12	84.40	265.35	101.70	46.48	145.14	114.00	46.48	145.14	114.00	46.48
ECU	1.2072	104	27.21	1.2072	104	27.21	1.2072	104	27.21	1.2072	104
Belgium	49.5657	95.00	274.21	1.0000	95.00	274.21	1.0000	95.00	274.21	1.0000	95.00
Netherlands	8.6540	95.00	274.21	1.0000	95.00	274.21	1.0000	95.00	274.21	1.0000	95.00
Switzerland	2.4722	80.01	170.15	1.5750	79.73	169.51	1.5750	79.73	169.51	1.5750	79.73
Denmark	49.5657	95.00	274.21	1.0000	95.00	274.21	1.0000	95.00	274.21	1.0000	95.00
Finland	0.7634	194.06	611.17	8.1000	49.42	145.14	8.1000	49.42	145.14	8.1000	49.42
Sweden	181.89	41.34	135.14	121.82	46.48	145.14	121.82	46.48	145.14	121.82	46.48
Norway	101.87	10.27	31.88	8.1000	10.27	31.88	8.1000	10.27	31.88	8.1000	10.27
South Africa	1.7514	55	208.17	1.1382	55	208.17	1.1382	55	208.17	1.1382	55
Australia	2.0820	115.00	39.48	7.9000	115.00	39.48	7.9000	115.00	39.48	7.9000	115.00
New Zealand	1.2482	100.77	27.21	7.7200	100.77	27.21	7.7200	100.77	27.21	7.7200	100.77
Hong Kong	0.9388	396.47	2.88	2.8885	396.47	2.88	2.8885	396.47	2.88	2.8885	396.47
Japan	2.2482	49.42	144.14	1.0000	49.42	144.14	1.0000	49.42	144.14	1.0000	49.42
New Zealand	2.0820	115.00	39.48	7.9000	115.00	39.48	7.9000	115.00	39.48	7.9000	115.00
South Korea	2.5040	50.13	149.53	3.7800	50.13	149.53	3.7800	50.13	149.53	3.7800	50.13
Singapore	2.2248	87.23	220.17	1.4185	87.23	220.17	1.4185	87.23	220.17	1.4185	87.23
OTHER SPOT RATES											
Country	Spot	Dollar	Country	Spot	Dollar	Country	Spot	Dollar	Country	Spot	Dollar
Argentina	1.5745	1.5745	Algeria	128.08	81.75	Chad	7.2848	7.2848	Chad	7.2848	7.2848
Brazil	15.4308	8.8215	Cameroon	40.0000	31.75	Cote d'Ivoire	1.0000	1.0000	Cote d'Ivoire	1.0000	1.0000
Colombia	13.13667	8.8813	Chad	40.0000	31.75	Guinea	1.0000	1.0000	Guinea	1.0000	1.0000
Congo	1.0000	1.0000	Chad	40.0000	31.75	Guinea	1.0000	1.0000	Guinea	1.0000	1.0000
Cuba	5.533017	4.3110	Chad	40.0000	31.75	Guinea	1.0000	1.0000	Guinea	1.0000	1.0000
Equatorial Guinea	1.0000	1.0000	Chad	40.0000	31.75	Guinea	1.0000	1.0000	Guinea	1.0000	1.0000

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Compiled by Paul Maher

Toovey toughs it out in contemporary style

Last year in Sydney, a book was published celebrating the hardest men that the game's history has produced. Its subjects were a mixture of bulking monsters and ageing but still-leak-hard giants - forwards to a man - but the player they chose to launch the book and epitomise the virtue of contemporary toughness was a scrum-half standing a fraction over 5ft 6in who looked like a half-grown Milky Bar Kid let loose among the adults.

It will come as no surprise to anyone who watched his display against New Zealand on Sunday that the player in question was Geoff Toovey - described by his coach, Bob Fulton, after

that match as the best, pound-for-pound, that the code has produced.

Toovey is an inspirational club captain for Fulham at Manly, so he is well used to the idea that his contribution is out of all proportion to his physical stature.

There have been few half-backs who have tackled forwards with the relish or regularity that Toovey brings to the job. For his club, he is also a creative mainspring, although it has taken a political upheaval to win him a regular place in the Australia side and a change of role to maximise his value during the World Cup campaign.

With scrum-halves like Ricky

Dave Hadfield on the man Australia believe will make all the difference in tomorrow's rugby league World Cup final

Stuart and Allan Langer available, Toovey had been limited to just two Test appearances, both against Papua New Guinea in 1991 when the other two were injured, until this year.

Then, with Langer and Stuart ruled out by their Super League affiliations, he played in all three victories over New Zealand, making him a certainty for this trip.

An opening match defeat at Wembley, however, and the presence of a gifted rival like Andrew Johns breathing down

his neck threatened to make him a selection casualty, just as Langer was after the first Test last year.

Fulton, a coach who does not make changes lightly, came up with a different and largely unsuspected option, bringing in Johns as hooker and extra playmaker to help out Brad Fittler, and using Toovey at acting half-back.

Toovey still feeds the scrums, but at the play-the-ball he now has the extra duty of being the first man to handle the ball, before it goes to a ground-making

forward, or to Fittler and Johns to open up play.

To regard that as a demotion would be to misunderstand the nature of modern rugby league, in which nothing is more central to the success of a side than a good service from acting half.

Fulton was delighted with that aspect of Toovey's play against New Zealand, plus the way that he was able to pick his moment to use his own deceptive pace over a short distance to make breaks through the heart of the Kiwi defence.

If Australia get England on

the back-foot at Wembley, it is a strong likelihood that the blond hair and boyish countenance of Geoff Toovey will be in the vanguard.

That was undoubtedly the case when a British international side first came across Toovey, then still in his teens, on their 1988 tour.

Toovey, looking even more like the runt of the litter in those days, sparked Manly to an embarrassing 30-0 defeat of the Lions and there has been a healthy respect for him in Britain ever since.

The recurring question in the hard school of Winfield Cup rugby, however, was how long a player of his stature and

style could survive head-to-head confrontation with players who towered above him. Other scrum-halves advised him to change that style for the sake of longevity, but Toovey never bled.

Now 26 and a survivor of shoulder problems that would have finished the career of less resilient characters, Toovey has answered any doubts.

The temptation to run at the little fellow comes naturally to rugby league players, but experience has taught that they get little change out of this particular member of the breed.

England have to find Australian weaknesses tomorrow. Geoff Toovey, even in a



Toovey: inspirational
transformed role, is unlikely to be one of them.
He is, after all, well used to toughing it out with the big blokes. If he did not exactly write the book on the subject, he has certainly read, learned and inwardly digested it.

High noon comes to Valderrama

GOLF
TIM GLOVER
reports from Sotogrande

If they were to make a paelia western at Valderrama, they could call it *Unforgiven II*. Only four players out of the cream of Europe are under par after the first round of the Volvo Masters, and most of the others have already shot themselves in the foot.

Not so Colin Montgomerie, who matched par with a 71, and in the three-hole race for the Order of Merit is two strokes in front of Sam Torrance and three in front of Bernhard Langer. "This is a 28-mile walk," Big Monty said, "and we've only gone seven. A lot can happen in 21 miles around here... a hell of a lot."

A lot has already happened, most of it at the 17th - a par five which in the space of one round has embedded itself in the minds of the players as some sort of hell-hole, golf's equivalent to Tombstone. Two former winners here, Ronan Rafferty and Mike Harwood, suffered the ultimate penalty at the penultimate hole.

Rafferty had a nine at the 17th in a round of 84; Harwood a 10 in an 82. Last night, their balls - loads of them - were sleeping with the fishes. Rafferty chipped into the lake, a watery grave in front of the green, three

times. Then he took a triple bogey seven at the last, but on his scorecard signed for a six.

Rafferty enjoyed a leisurely lunch before learning of his inevitable disqualification. Others may fall by the wayside before Sunday. Rafferty, however, did not get the hell out of here. He qualified for this end of season bonanza by finishing in the top 50 in the Order of Merit and he will earn £3,500 here, even if he has been disqualified.

Thus this morning Rafferty will be first out with Harwood and will partner the Australian as a marker. Harwood achieved his 10 by also losing three balls in the water at the 17th. When the man from Renters asked him about this unfortunate experience, Harwood said: "Piss off. You haven't talked to me all year and you're only interested when I shoot 82."

Montgomerie has an impressive record at Valderrama and yesterday he had two bogeys on the front nine and two birdies on the back. He missed from three feet at the par three third and three-putted the par-three sixth. "Four 71s around here would be very nice," Monty said. "Forget the Order of Merit. I've come here to win the Volvo Masters. I'm playing well enough. I love this course."

This is why Big Monty, whom any normal golfer would regard as a masochist, has an excellent chance of winning the Order of

Merit for the third year running. However, even he views the 17th with the utmost suspicion. "You have 17 mounds of sand then you have the 17th," he said. "If the other 17 were like the 17th, this course wouldn't be ranked No 1 in Europe."

Seve Ballesteros, who is on a sabbatical, is responsible for the redesign of the 17th. Jaime Ortiz-Palino, the owner of Valderrama - the Americans won't know what has hit them when they come here for the 1997 Ryder Cup - sat down with Ballesteros at the conclusion of last year's Volvo Masters. "The idea," Palino said, "was to make the hole a subtle par five. Why automatically reach for the driver? Why not a three wood and then go for the green with a three or four iron? Seve told me he didn't want professionals reducing the hole to a drive and an eight iron, and he did not want a bail-out area to the right of the water. I've followed his plans to the letter. Sometimes I think that all the players want to do is drive the ball to Timbuktu."

For every horror story at the 17th, there were also happy returns. Fifteen players, Torrance included, birdied the hole. Wayne Riley, Monty's partner yesterday, might also have had a four there, but for the fact that his approach shot finished two inches from the water. Riley, who was having a decent round, took



Sun and sand: Sam Torrance strikes out at the 11th in the Volvo Masters yesterday
Photograph: Allsport
his shoes and socks off, rolled up his trousers and, giving an impression of belonging to some mysterious Australian brotherhood, waded into the water. All he needed was a knotted handkerchief on his head. Riley is in the water and his ball, to his right, is on terra firma. He took a practice swing and then knocked the ball into the lake. Riley thought he had escaped with a double bogey seven, but as Mark James, commenting on *Eurosport*, observed, the Australian had

Larder leaves the door open

The England coach, Phil Larder, has made one change in his side to face Australia in the final of the Halifax Centenary World Cup at Wembley tomorrow, but he has left a place on the bench open for the recovering pneumonia victim, Gary Connolly.

The Wigan centre, Barrie-Jon Mather, who played there in the tournament opener, is recalled in place of Keighley's Nick Pinkney, who was preferred for the semi-final against Wales.

"I put B-J on the bench for that match because Nick had played so well against South Africa," Larder said. "But I was a bit disappointed last week that Nick didn't get the ball enough and didn't look for it. B-J's defence is stronger, but if I felt that Nick was strong and confident enough to go and get the ball at this level, he would be in."

Still in with a stubborn, lingering chance of being in that 17 is Connolly. Mather's Wigan team-mate, ruled out of any involvement in the World Cup before it even began by a chest specialist, Larder has refused to give up hope that as strong and determined an athlete as Connolly could have defied the odds and accordingly named only two substitutes, forwards Mick Cassidy and Chris Joynt.

The decision on who will fill the other two vacancies will be left as late as possible and will be made then on what Larder calls "gut feeling". It could, he says, be a matter of "how much colour he has in his cheeks".

Once niggling injuries to Jason Robinson and Andy Farrell had responded to treatment, the rest of the team picked itself, although Farrell's groin strain is still causing enough concern for Bobbie Goulding to be given the goal-kicking duties.

Larder has studiously kept himself and his team out of the controversy generated by his Australian counterpart Bob Fulton's fury over the refereeing of their semi-final against New Zealand. Fulton faces an International Board inquiry over remarks he is alleged to have made to the tournament referees' director, Greg McAllum.

"That's the way Bob Fulton operates," Larder said. "He has always been a coach that has tried to put referees under as much pressure as possible."

"We don't mind who the referee is, because we have never come across a bent official. They are all doing their best. They have their little idiosyncrasies, but you have to be smart enough to adapt to them. We have concentrated on our own preparation and we are ready. There has never been a better time for us to play Australia."

ENGLAND (v Australia, Halifax Centenary World Cup final, Wembley, tomorrow): **Forwards** Jason Robinson (Wigan), Barrie-Jon Mather (Wigan), Jason Robinson (Wigan), Barrie-Jon Mather (Wigan), Jason Robinson (Wigan), Barrie-Jon Mather (Wigan); **Halfbacks** Jason Robinson (Wigan), Barrie-Jon Mather (Wigan); **Three-quarters** Jason Robinson (Wigan), Barrie-Jon Mather (Wigan); **Fullbacks** Jason Robinson (Wigan), Barrie-Jon Mather (Wigan).

Illingworth ready to give Ramprakash prime role

CRICKET
JAMES ALEXANDER
reports from Johannesburg

England have yet to play their first proper match - it begins in Swere today and the main editorial dilemma of the tour already appears to be settled. Mark Ramprakash, whose form in both the nets and the two warm-up matches has been encouraging, is earmarked for the

No 3 batting position in the Test series ahead of John Crawley. Ramprakash is thus far (and he is 25 now) one of the great under-achievers of English cricket. Nobody disputes his sublime talent and yet he has failed to give full range to such gifts on the loftiest stage. The common consensus is that the Middlesex right-hander becomes too tense, too desperate to succeed when he plays international cricket and this has a debilitating effect on

his batting. In other words, he freezes, although Ramprakash disputes this. He insists his struggles have been due to bad luck, playing the majority of his Test against the West Indies and not having a run in the side.

Well, he enjoyed plenty of luck making 89 not out in England's victory over Eastern Transvaal on Wednesday. The opposition this winter is South Africa - and he seems certain to receive plenty of opportunities. There can be no

more excuses and Ramprakash will bat first-down today. "This is a make or break tour for Ramprakash," says Ray Illingworth. "But we believe he is the technically best-equipped man for the No 3 spot. We are desperate for Ramprakash to come through and will give him every opportunity we can. John Crawley might have to fight for another place."

England have won both their matches - although they were hardly impressive against East-

erns - but a South African Invitational XI over four days will provide a sterner examination. Hansie Cronje and Jonty Rhodes, the national team's captain and most popular player respectively, are in the opposition.

Gentle pressure was exerted on England for Devon Malcolm to play in what is the first first-class game in a township. Malcolm, something of a cult hero with the young blacks after his 9 for 57 against South

Africa at The Oval last year, is keenly aware of the symbolic value of his appearance. Yet he has enough on his plate - like convincing Illingworth he can be England's most potent weapon.

Illingworth and Peter Lever, the bowling coach, are trying to put Malcolm falling away in his delivery stride. It seems Malcolm is either unable or unwilling to put their advice in practice. "We still have a bit of a problem with Devon, but I don't want

to say too much at the moment," Illingworth said. "We want him to make a big effort because we have only three matches before the First Test."

Middlesex will not stand in the way of their veteran spinner John Emburey taking up the role of coach at Northamptonshire next season. Emburey, manager of the England A tourists who left for Pakistan yesterday, has been strongly tipped for a move there after 22 years at Lord's.

Thompson steps up for Stamford debut

Non-League football
RUPERT METCALF

Tonight's encounter between Stamford and Stewart's and Lloyd's, a Corby team, should draw a larger than normal crowd to the Wothorpe ground. Stamford's home, thanks to the striker who will be making his debut for the Hereford United Counties League side.

Stamford's new boy is not young, but he is famous. The former Olympic and world decathlon champion Daley Thompson, now 37, signed for

the Lincolnshire side earlier this month and will be making his first appearance tonight. "We normally draw crowds of about 200," Phil Bee, Stamford's secretary, said yesterday, "but we're expecting at least three times as many to see Daley."

Last season, Thompson played for the reserve teams of Stevenage Borough and Wimbledon, and this term he has turned out for Leicester City's second string. "He trained with us for the first time last week," Bee said, "and he's been training with Leicester all week. He makes it all look easy, and the

other players are over the moon to have him with us."

Stamford's manager, Steve Evans, said: "If he wasn't a good footballer we wouldn't want him. People don't think of him as a footballer after all, if you're a world champion decathlete, you can't play. If you're half decent at draughts."

Two other veterans more familiar to football spectators have teamed up at Droylsden, of the Northern Premier League: Paul Fletcher and his twin brother, Ron. It is the first time they have played for the same team since they were

together at Manchester City in 1978/79. Another Northern Premier League club, Witton Albion, have signed the experienced goalkeeper John Burridge - who ended last weekend's game against Blyth Spartans playing as a forward after Witton's substitute goalkeeper came on for their third injured outfield player.

VS Rugby, the struggling Beazer Homes League Premier Division team, have named Stewart Robson, the former Arsenal, West Ham and Coventry midfielder, as their new manager.

Millwall pitch invaders banned

Millwall yesterday moved swiftly to head off the threat of ground closure by imposing life bans on fans who invaded the New Den pitch during Wednesday night's Coca-Cola Cup defeat by Sheffield Wednesday.

Graham Horrope, the club's chief executive, labelled the pair "fools". In the 65th minute, one fan confronted Wednesday's goalkeeper, Kevin Pressman, with an alleged death threat. Pressman claimed the fan said: "You are a dead man. You will never leave this ground alive."

Horrope said: "Sadly, two of our supporters decided to make

fools of themselves by going on to the pitch. The club will not tolerate such behaviour and have acted immediately by banning the two persons involved from The Den for life."

By acting swiftly, Millwall hope the Football Association will not close the ground, as the club is living under the shadow of a suspended £100,000 fine and an order to play two matches behind closed doors following an incident 16 months ago, when the Derby goalkeeper, Martin Taylor, was kicked by fans.

The Premiership's high-fliers will go head-to-head in the fourth

round of the Coca-Cola Cup, after yesterday's draw sent Kevin Keegan and Newcastle back to his old club Liverpool, and the faltering champions Blackburn into the intimidating atmosphere of Leeds' Elland Road.

There is also a re-run of the 1993 final, Sheffield Wednesday travelling to Highbury to meet an Arsenal side bidding for their fifth successive win over the Yorkshiresmen in this competition.

Coca-Cola Cup Fourth-round draw: Aston vs. QPR (2-1); Arsenal vs. Blackburn (1-1); Liverpool vs. Newcastle (1-1); Manchester United vs. Tottenham (1-1); Chelsea vs. Wimbledon (1-1); Coventry vs. Derby (1-1); Everton vs. Leeds (1-1); Fulham vs. Sheffield Wednesday (1-1); Ipswich vs. Luton (1-1); Millwall vs. Sheffield Wednesday (1-1); Norwich vs. Oxford (1-1); Peterborough vs. Reading (1-1); Preston vs. Southampton (1-1); Rotherham vs. Stoke (1-1); Shrewsbury vs. Swindon (1-1); Southend vs. Walsley (1-1); Stevenage vs. Wigan (1-1); Torquay vs. Watford (1-1); Tranmere vs. Wolves (1-1); Wrexham vs. York (1-1).

SPORTING DIGEST

Baseball
World Series: Atlanta Braves 5 Cleveland Indians 2 (Atlanta lead best-of-seven series 3-1).

Basketball
EUROPEAN CHAMPION CUPS' Cup Semi-final series Group B: Panathinaikos 94 Real Madrid 52.

Boxing
PROFESSIONAL PROMOTION (Telford Ice Rink, Wednesday 12-12 midday/light for European title): N. Woodhall (Telford, holder) vs. 2. Kozak (Telford) vs. 3. J. Kozak (Telford) vs. 4. P. Buckley (Birmingham, holder) vs. 5. P. Buckley (Birmingham, holder) vs. 6. P. Buckley (Birmingham, holder) vs. 7. P. Buckley (Birmingham, holder) vs. 8. P. Buckley (Birmingham, holder) vs. 9. P. Buckley (Birmingham, holder) vs. 10. P. Buckley (Birmingham, holder) vs. 11. P. Buckley (Birmingham, holder) vs. 12. P. Buckley (Birmingham, holder) vs. 13. P. Buckley (Birmingham, holder) vs. 14. P. Buckley (Birmingham, holder) vs. 15. P. Buckley (Birmingham, holder) vs. 16. P. Buckley (Birmingham, holder) vs. 17. P. Buckley (Birmingham, holder) vs. 18. P. Buckley (Birmingham, holder) vs. 19. P. Buckley (Birmingham, holder) vs. 20. P. Buckley (Birmingham, holder) vs. 21. P. Buckley (Birmingham, holder) vs. 22. P. Buckley (Birmingham, holder) vs. 23. P. Buckley (Birmingham, holder) vs. 24. P. 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SPORT

'Whatever happens, I'm going back to journalism after my 90 days is up. It's a kind of military service. A manager has very little influence'
IN SECTION TWO The TV pundit who took over one of Brazil's biggest football clubs

Transfer fees 'inevitable' say clubs

Rugby Union
LIZ SEARL

A football-style transfer system, with fees being paid for players, is inevitable in rugby union, according to an *Independent* survey of the leading clubs.

The survey (see page 30) also revealed that seven out of the 10 First Division clubs in the Courage League could conceive of a situation in which the

leading clubs would break away from the Rugby Football Union, and that a majority of clubs felt the game should have gone fully professional immediately, rather than wait until next season.

Opinion on the 120-day rule was divided, with half of those questioned hoping it would be abolished, two saying it should be reduced, two saying it should be increased and one hoping it would be retained.

Criticism of the RFU's handling of the move to professionalism was strong, with seven clubs finding fault with some aspect of it.

However, the greatest degree of unanimity came on the question of transfers, an issue that goes to the heart of the sport since it abandoned its amateur ethos in August.

"I think it is inevitable," Tony Russ, the director of rugby at Leicester, said. "Clubs who lose

players in the middle of contracts have the right to be compensated. Ideally, there will be controls, like a transfer cap, to stop prices escalating out of control like football, but our legal team have said this may be illegal."

John Quinn, the Bath club secretary, said that if clubs received "some sort of a transfer fee, it would prevent wild bidding and the club would get something back for what they have put into

that player - especially the clubs in the lower divisions."

Dick Best, the Harlequins director of rugby, advocated the introduction of a 15 per cent sell-on fee, to ensure that clubs benefit from any future transfers a player may be involved in.

"I think we have to learn from the valuable lessons that soccer gives us and if you buy a player from a Third Division club, the club must be reimbursed," he said.

Jeff Probyn, Wasps' chairman of rugby, called for some restriction on the movement of players. "Once a player has played for one club, he cannot play for another that season - like a season's embargo."

A plea on behalf of the First Division's smaller clubs was made by Dave Taylor, a director of Bristol. "I think that we want to try - as no sport has got it right yet - to devise a system where the fees are limited, so

the smaller clubs are not cut out of the market."

The issue of transfers and transfer fees has already been discussed by a group of First Division club representatives, set up in response to disquiet over the way the First Division has been excluded from RFU discussions. In a series of recent briefings, the "conference" invited speakers from the football world to explain and discuss their transfer system.

The clubs, however, will have to wait for an official stance on fees from the RFU until its commission delivers a verdict, due next week. "Transfer fees and the 120-day rule are being considered by the RFU's commission, and so the RFU would not discuss the matter until the commission has concluded its discussions," a spokeswoman said yesterday.

State of the union, the full survey, page 30

Sad Agassi loses his footing

Tennis

JOHN ROBERTS
reports from Essen

There are bad losses, there are sad losses, and there was Andre Agassi's bizarre loss to MaliVai Washington in the third round of the Eurocard Open yesterday.

The Las Vegas ascribed his 4-6, 6-1, 6-1 defeat to a recurrence of a chest muscle injury, but for many the performance will be remembered for the way Agassi threw a game by deliberately tapping a second serve long.

Agassi's early elimination, coupled with the fact that he will be unable to defend his Paris Indoor title next week, could serve to hand the world No 1 status back to Pete Sampras.

Washington, who had lost six of his seven previous encounters with Agassi and is ranked No 54, was asked if he thought his opponent had tried during the concluding set. "Did he 'tank' the match? It didn't feel like that to me," the New Yorker said. "You'd better ask him."

Agassi appeared in the interview room nearly three hours after the match and announced that he would be returning to the United States for treatment, in the hope of being fit for the ATP Tour Championship in Frankfurt on 14 November and the Davis Cup final against Russia in Moscow on 27 November.

"I didn't have any expectation to win the match today after feeling the injury at 5-4 in the first set," he said, adding that he had not thought of retiring hurt. "For me, it was more professional for me to stay out there and allow the guy to have his day."

The crux came in the second set when Agassi was 1-4 down and serving at 30-40. The majority in the stadium, including Washington, assumed that Agassi had double-faulted when the "Cyclops" line machine beeped after his second serve. The Brazilian umpire, Paolo Pereira, overruled, provoking whistles and jeers.

Two points later, a section of

the crowd cheered when Agassi, facing a second break point, missed his first serve. He responded by plopping the second racket in ironic applause.

"I was frustrated and depressed about the way I was feeling," Agassi said. "To give away one serve or one game wasn't even close to the issue out there."

The mood of Agassi's play began to alter after Washington saved a break point in the opening game of the second set and then produced two of his 12 aces. In the middle of the next game, Agassi began to flap - or at least the sole of his right shoe did. After being broken for 0-2, he changed into a substitute pair offered by a friend.

While it would be stretching things to suggest that Agassi was affected not only by the injury but also because the replacement shoes were white instead of the customary black, he was no longer covering the court with the same spring in his step.

Before starting the final set, Agassi put on a new pair of black shoes brought from his hotel, but that was the only change. Lacking mobility, he managed to escape to deuce in a couple of service games, but for the most part, Washington found himself dictating the points.

Agassi double-faulted twice more in the fifth game, bringing his total to six, and Washington finished the job on the second match point after 89 minutes, returning a second serve past an almost motionless opponent.

In order to regain the No 1 position at the end of this week, Sampras needs to win the tournament and collect bonus points along the way by beating players ranked in the top 15. The Wimbledon champion advanced to the quarter-finals with a 6-2, 6-4 victory against Australia's Mark Woodforde.

Goran Ivanisevic's four and a half years association with his coach, Bob Brett, came to an end after the gifted but eccentric Croat lost his opening match here against Martin



Foot fault: Andre Agassi hoping for a change of luck in yesterday's defeat by MaliVai Washington

Photograph: AP

Sinner, a German wild card. "This is not about Grand Slam titles or money, but the standards I must pursue in my goal

as a coach," said Brett, who guided Ivanisevic to the final of Wimbledon in 1992 and 1994. "I hope that Goran will

learn from our experiences." Bobby Riggs, the former Wimbledon champion who later became more famous for his

so-called "battle of the sexes" with Billie Jean King, has died at the age of 77. *Obituary, page 20*

THE INDEPENDENT CROSSWORD

No 2816, Friday 27 October By Phil Thursday's solution

ACROSS

- Pick some from among these lectures (6)
- Love people to accept a bit of learning from a source of wisdom (6)
- I don't care - you won't catch me near the grindstone! (2,4,3,2,4)
- Say fool may turn a particular colour (5)
- Endless story about modern party-goers is coming across (9)
- Pure hatred initially visible in class division (6)
- What's newly routed? (6)
- Molluscs in fix aboard ship (6)
- Pressure of work for Member, one abandoning lover (6)
- Oriental church festival (6)
- Crazed emperor curtailed (9)
- Strut - obstacle getting a gardener's last cut (5)
- Necessary for the Mob? (10,5)
- Like some blue cheese one found in meat? (5)
- Threatening rain? Meadow's a place to take refuge (6)
- DOWN
- Speak about fool's presence of mind? (6)
- Falling to keep workforce suppressed, being easily defeated (6,5,4)
- I'm following rector's lead in church as regards sin (5)
- Poet depicts the merry dancing round square (9)
- Interrogated in the manner of an agnostic? (5-10)
- Still heart removed from song in a flat manner (6)
- It turns up in unhappy excursion (6)
- Frightened? A father's to assist (6)
- Last of Alps without fir-trees appears to be yellow (9)
- Piece forming part of season at Aldeburgh (6)
- Religious address over end of communion Rome's revised (6)
- He was a mimic and made a pile (6)
- What may be used by artist in study involving light (6)
- Fighter plane failing to complete final course? (5)

Leeds undeterred by 'silly money' for Sinclair

Football
ADAM SZCZETTER

Leeds United yesterday confirmed their interest in the Queen's Park Rangers winger, Trevor Sinclair, which prompted the Loftus Road manager, Ray Wilkins, to put a £10m price tag on his England Under-21 international.

Bill Rotherby, the Leeds managing director, said: "We are keen to sell a number of our players and then we will be in a position to bring other players in." Rotherby refused to name the players, but David White, Rod Wallace and Brian Deane are believed to be the men Leeds are willing to trade.

Wilkins said: "They can offer who they like, but it would take silly money to get him away from Loftus Road. As far as I'm concerned, any club wanting Trevor would have to break the British transfer record."

One deal that did go through was the £750,000 transfer of the Nottingham Forest defender, Carl Tiler, to Aston Villa. The 25-year-old, who moved to the City Ground in a £1.4m deal from Barnsley in May 1991, has been unable to break into the Forest first team since season.

The England captain, David Platt, out of action since the end of August after a knee operation, could make his comeback for Arsenal against Bolton at Burnden Park on Monday.

Platt played his second reserve game in 48 hours yesterday and said: "There are no problems at all. I always knew it was only a matter of time with this injury. Now I'm back in full training with four days to go before the next match."

Manchester United's Lee Sharpe will be fit to play against Middlesbrough this weekend, despite breaking a bone in his wrist. The 24-year-old winger suffered the injury in training.

Chris Woods, the former England goalkeeper, has joined Reading from Sheffield Wednesday on a month's loan. Reading's regular goalkeeper, the Bulgarian international Boris Michailov, picked up a hamstring injury in training.

Martin O'Neill, the Norwich City manager, has had a 10-game touchline ban suspended on appeal. O'Neill was banned and fined £1,000 after an altercation with match officials when in charge at Wycombe last season. Now the FA has suspended the ban for two years, but increased the fine to £5,000.

Alan Lawrence, the Hearts striker, could be punished by the Scottish Football Association after allegedly elbowing Rangers' Craig Moore during Saturday's Premier Division match at Ibrox. The SEA have confirmed they are writing to both Lawrence and his club after receiving a copy of the refereeing supervisor's report.

League gets TV deal extension

All 72 Football League clubs will meet in the next fortnight to vote on whether to accept the £120m television package put forward by the Football Association. The referendum was thrashed out as a compromise after the League's management committee failed to meet yesterday's 4pm deadline to agree to the five-year deal.

They wanted more time to consider an alternative partnership proposed by the Premier League, but were forced to climb down after a threatened revolt by many of the hard-up smaller clubs. They are eager to accept a package which gives the League more than double the £10m a year they receive from their current deal with ITV.

The FA said last night: "We have been disappointed by the speed of the response, but we've also become aware of the growing body of support for the deal amongst club chairmen. We believe the League as a whole is being offered a huge opportunity which guarantees their financial security for years to come and the future of football as we know it."

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